



SHERIFF DAVID J. MAHONEY
DANE COUNTY SHERIFF'S OFFICE

JEFF HOOK, Chief Deputy
(608) 284-6167

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Captain, Executive Services
(608) 284-6175

TIMOTHY F. RITTER
Captain, Support Services
(608) 284-6186

JEFFREY A. TEUSCHER
Captain, Security Services
(608) 284-6165

RICHELLE J. ANHALT
Captain, Field Services
(608) 284-6870



August 26th, 2011

Bill Lueders
Wisconsin Center for Investigative Journalists

Dear Mr. Lueders;

This is in response to your request for records that we received on August 25, 2011. You requested a copy of DCSO incident report # 110176237.

As custodian of records for the Sheriff's Office, I must balance competing public interests when determining whether or not to release a record in my custody. In reaching a determination whether to disclose the requested information, I have considered all relevant factors, including those exemptions created by Wisconsin Statute, which presume that the legislature has predetermined that, the interest in non-disclosure outweighs the interest in disclosure. I have also considered principles contained in the common law and in so doing, have balanced the public interest in disclosure versus the public interest favoring nondisclosure. Therefore for the reasons listed below, I have redacted certain information.

Medical, mental health, juvenile, and financial information and identifiers have been redacted pursuant to §19.85(1)(f), Wis. Stats., as made applicable to records pursuant to §19.35 (1)(a), Wis. Stats. This exemption provides that records relating to financial, medical, social or personal histories or disciplinary data of specific persons, which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations may be withheld if there is a need to restrict access. The personal information redacted would have an adverse effect upon the individuals and thus the public's interest in nondisclosure of this information outweighs any interest the public may have in its release.

Additionally, the redactions found on pages 100-102, and 113, were applied by the author of the document prior to being collected during the course of this investigation.

Pursuant to §19.35(4)(b), Wis. Stats., this decision is subject to review by mandamus under §19.37(1), Wis. Stats., or upon application to the Attorney General or a district attorney.

Sincerely,

DAVID MAHONEY
SHERIFF OF DANE COUNTY

Lieutenant Mark S. Twombly
Dane County Sheriffs Office

Dane County Sheriff's Office

Digitally signed by Dane County Sheriff's Office
DN: cn=Dane County Sheriff's Office, o, ou=Records Bureau,
email=sheriff.records@co.dane.wi.us, c=US
Date: 2011.08.26 08:15:49 -05'00'



Dane County Sheriff's Office

Deputy Report for Incident 110176237

Nature: DISTURBANCE
Location:

Address: 115 DOTY ST
MADISON WI

Offense Codes:

Received By: DMV

How Received:

Agency: DASO

Responding Officers:

Responsible Officers:

Disposition: **/**/**

When Reported: 08:46:24 06/28/11

Occurred Between: **:**:**: **:**:** and **:**:**: **:**:**

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Alert Codes:

Offense Codes

Reported:

Observed:

Circumstances

Responding Officers:

Unit :

Hansen Peter

Responsible Officer:

Agency: DASO

Received By: DMV

Last Radio Log: **:**:**: **:**:**

How Received:

Clearance: R Report Done

When Reported: 08:46:24 06/28/11

Disposition: Date: **/**/**

Judicial Status:

Occurred between: **:**:**: **:**:**

Misc Entry:

and: **:**:**: **:**:**

Modus Operandi:

Description :

Method :

Involvements

Date

Type

Description

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Narrative

PARTITIONED

The supplements are partitioned in the CONF partition. 6/28/2011 - acns

>CP< PUBLIC SAFETY BUILDING
S.DISTURBANCE

N 084624 >IC<

Responsible LEO:

Approved by:

Date

08/23/11

Released To: Wisconsin Center for Investigative Journalist

Supplement

07-06-11 Detective S. Sims INTERVIEW WITH MARK BRADLEY

PERSON CONTACTED:

Mark J Bradley
M/W DOB: 07/14/1950
Husband of Ann Walsh Bradley

INTERVIEW WITH MARK BRADLEY:

On Tuesday, July 05, 2011, Detective Peter Hansen and I met with Mark Bradley in a second floor interview room located in the Public Safety Building. At approximately 7:35 a.m., Mark arrived and Detective Hansen and I verbally identified ourselves to him and he verbally identified himself as being the husband of Wisconsin Supreme Court Justice Ann Walsh Bradley. The three of us sat in an interview room and Mark provided the following statement.

Mark has been married to Ann Walsh Bradley for over 33 years and they have four children in common. Mark currently lives in Wausau, but they also have a condo in Madison, which he stays at periodically. We asked Mark to direct his attention to the night of Monday, June 13, 2011.

Mark said he happened to be staying in Madison on the night of Monday, June 13, 2011 due to some work he was scheduled to do on Tuesday morning. Mark arrived at the condo at approximately 7:00 p.m. and began to make dinner for he and his wife. Mark said he had not heard from Ann, but by about 8:00 p.m. or so, she had arrived home.

Mark described the look on Ann's face when she got home to be as though she had a rough day. Mark said their normal routine is to kiss one another and ask about each other's day. Mark said that he felt as though his wife seemed distraught and when he asked about her day, she immediately began "crying and sobbing and couldn't talk." Mark asked Ann what was going on and he felt as though something horrible had happened at work. Mark said Ann then told him something to the effect of "Dave put his hands around my neck to choke me."

Mark said when he heard this statement, he knew exactly who she was referring to because there was only one other Supreme Court Justice named Dave. Mark was referring to Supreme Court Justice David Prosser.

Mark said after a few minutes, Ann was able to compose herself to explain the story to him. Ann told Mark that the Justices were arguing over a press release and a court decision in her office prior to the incident occurring. Ann told Mark the only Justice that wasn't present was Justice Crooks.

Ann described David Prosser as "going off on a tirade" against the Chief Justice. According to Mark, Ann felt as though all of the anger was directed towards the Chief Justice when Ann warned Justice Prosser to control himself. Ann told Mark that she told Justice Prosser he was going to have to leave if he didn't control himself. Ann told Mark that this calmed Justice Prosser down for a few moments.

Ann told Mark that once Justice Prosser continued his tirade on the Chief Justice, she got up from her desk and walked around her desk and pointed at him to leave her office. As Mark was describing the reenactment from his wife, Mark was pointing with his left hand and saying "Get out of my office." Mark said Ann told him that Justice Prosser then grabbed her around the neck and Justice Roggensack separated them. Ann told Mark that Justice Prosser left her office and she went right to her desk to begin typing about what had just happened to her.

Mark believes that Ann was so distraught because this was the first time Justice Prosser's anger has been directed towards her. Mark said over the years it has been Ann who has been able to talk with Justice Prosser and calm him down when none of the other Justices would take that role.

Mark said that after Ann initially told him the story, they talked at length

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about how to deal with the situation and who to turn to for any possible recourse. Mark told Detective Hansen and I that he runs a law firm in Wausau and they have in-service training on how to treat people in the office, how to treat people of the opposite sex and how you should not go hands on with people. Mark said he and Ann talked about this training and he told Ann unless a crime is reported, there wasn't much recourse for Justices or their behavior since they are elected officials.

They also discussed the possibility of getting a restraining order. Mark was trying to explain to his wife that if this incident happened to their daughter, they would want their daughter to report it. Mark said they talked about going to Human Resources and alerting them of the incident, but then they discussed the fact that they were all elected officials and how could they be disciplined, if at all, by Human Resources.

Ann talked about keeping the incident internal and how to deal with interpersonal behaviors of the Justices. Mark said his concerns, as a husband, were of all the outbursts involving Prosser he has heard about from Ann, that none of them have been physical in the past until now. Mark said his concern is that what else had to happen to his wife before she would report it to anybody.

Mark believed the night of June 13th, his wife had called Capitol Police Chief Tubbs and left a voicemail message. Mark also believes that Ann talked to Justice Crooks. Mark said Ann was on a different level of the condo, but he assumed based on her conversation that she was talking with Justice Crooks.

Mark said he did not call their kids to let them know what happened that night. Mark said after a few days had passed and information about the incident was in the newspapers, he did e-mail their kids a link to the story. Mark said he talked to three out of the four children on the phone and explained to them that Ann was okay.

Mark described Ann's demeanor after the incident as being very emotional. Mark said this was very out of character for Ann and she is not normally a person that is quick to cry. Mark described that when he and Ann went for a walk just last night, that she started crying two different times during the walk as they talked about life in general. Mark also described how she had broken down crying at a family reunion over the weekend. Mark said she just sobs and cries uncontrollably for two to three minutes before she is able to compose herself. Mark said this happened at the family reunion when a family member told Ann they were all thinking about her and supporting her during this rough time.

Mark feels as though this whole incident has put an unduly amount of stress on Ann. Mark said because of this stress, Ann has [REDACTED]. Mark said there have been a few other times when Ann will [REDACTED] because of stress. Mark described Ann as always being the peacekeeper even in her own family while she was growing up. Mark feels like that is why Ann has taken the role of calming Justice Prosser down over the years at work.

Mark felt as though the history of David Prosser's behavior is relevant and not just the fact that he can't get along with colleagues, but the history of different outbursts that Justice Prosser has had over the course of his career. Mark described the behavior of Justice Prosser as very bad and illegal behavior. Mark said he has become more concerned with the behavior because the anger has now been directed towards his wife. Mark felt as though Justice Prosser's behavior over the last five to six years has been increasingly more frequent with "blow ups" "screaming" and "rage". Mark based his opinion from the stories he has heard from Ann over the years. Mark said Ann has told him that when these outbursts happen in conference that there are times when she grabs her things and walks out because she cannot tolerate Justice Prosser's outbursts.

Detective Hansen and I asked Mark if he had any additional information and he stated he did not. We ended the interview with Mark at approximately 8:15 a.m. and ended our contact with him.

END OF REPORT

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Detective Sabrina Sims
Dane County Sheriff's Office

dlw Fri Jul 15 09:19:25 CDT 2011

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Supplement

07/01/11 Detective S. Sims FAX RECEIVED FROM STEPHEN J. MEYER

BUSINESS CONTACT:

Stephen J. Meyer
Attorney at Law
Meyer Law Office
10 E. Doty Street, Ste 507
Madison, WI 53703
Phone: 608-255-0911
Fax: 608-255-2927

FAX RECEIVED FROM STEPHEN J. MEYER:

On July 1, 2011, at approximately 9:04 a.m., a fax was received at the Dane County Sheriff's Office at 608-284-6858 to the attention of Detective Hansen and myself. The fax was to inform Dane County District Attorney Ismael Ozanne, Detective Hansen and I that Attorney Meyer would be representing Wisconsin Supreme Court Justice David Prosser in the investigation we were conducting regarding an incident that had occurred June 13, 2011 at the Supreme Court.

Attorney Meyer provided a phone number and indicated we should contact him directly at his office number rather than contacting his client.

ATTACHMENTS

A copy of the fax is attached to this report.

Detective Sabrina Sims
Dane County Sheriff's Office
Investigative Services Bureau

esb Fri Jul 15 09:22:07 CDT 2011

08/23/11

Released To: Wisconsin Center for Investigative Journalist

Supplement

06/30/11 Detective S. Sims INTERVIEW WITH PETER RANK

PERSON CONTACTED:

PETER S RANK

M/W DOB: 06/26/1980

Job Title: Law Clerk for Chief Justice Shirley S. Abrahamson

Work Phone: 608-266-1885

INTERVIEW WITH PETER RANK:

On Wednesday, June 29, 2011, Detective Peter Hansen and I scheduled an interview with Peter Rank, who is a law clerk for Chief Justice Shirley Abrahamson. At approximately 2:35 pm, Detective Hansen and I met with Peter in the Supreme Court reading room located at 16 E. State Capitol in the Capitol building. Detective Hansen, Peter Rank, and I were the only three present at the time of the interview.

Peter provided the following information regarding his employment with Chief Justice Shirley Abrahamson. Peter has worked as a law clerk for the Chief Justice since August 2010. Peter is scheduled to complete his clerkship in August 2011.

Peter was working on Monday, June 13, 2011 between approximately 5:30 and 6:00 pm. Peter's office is inside Chief Justice Abrahamson's chambers and is located at the end of the hallway from Justice Bradley's office. Peter said he could hear loud voices coming from the hallway area, but he could not make out what was being said or who was actually speaking. Peter said after he heard raised voices for a few moments, the Chief Justice walked back into her chambers and appeared to be "upset and tense." Peter described the Chief Justice as looking like she was "being taken back by something."

Peter said the Chief Justice asked him "hypothetically, what would your reaction be if someone got in your space and asked you to leave." Peter said he was not sure what she was making reference to, but he assumed something just happened in Justice Bradley's office. Peter's responded to the Chief Justice something to the effect that he was 6'4" and young, so he wouldn't have to do much to a person. Peter said the Chief Justice made no direct conversation about what had occurred in Justice Bradley's office. Peter said he told the Chief Justice he might put an arm block up or something if someone tried to get close to his personal space.

Peter said there was no further conversation about what had occurred in Justice Bradley's office. Peter said the Chief Justice decided to take a break for dinner, so Peter left the Capitol and picked up some dinner for himself. Peter said on his way back to the Capitol, he did meet with Rachel Graham, who is the law clerk for Justice Bradley. Peter said he and Rachel walked down Johnson Street and spoke about the dissent opinion that both of them were reviewing for their bosses. Peter said that he and Rachel did not talk about details of what had happened in Justice Bradley's office but Rachel told him she was in her office when the incident occurred. Peter said he and Rachel spoke about both of their bosses and were both concerned if their bosses were ok. Peter said the conversation was pretty vague and both he and Rachel were trying to figure out a way to deal with what had occurred. Peter said they decided they should focus on all the work that still needed to be completed tonight.

Peter said he had no further conversations with Rachel about what she had witnessed. Peter did not speak with the Chief Justice or anyone else about what had occurred that evening. Peter was going to be out of the office after Friday but said he could be contacted on his personal cell phone if we needed to speak with him in the future.

Detective Hansen and I thanked Peter for his time and ended the interview at approximately 2:55 p.m.

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Detective Sabrina Sims
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:22:45 CDT 2011

08/23/11

Released To: Wisconsin Center for Investigative Journalist

Supplement

06-28-11 Detective S. Sims INTERVIEW WITH SUPREME COURT MARSHAL TINA NODOLF

PERSON CONTACTED:

Tina M. Nodolf
F/W DOB: 12/22/1956
Supreme Court Marshal
State of Wisconsin Supreme Court
16 E. State Capitol
Madison, WI 53701
Office: 608-266-0231
[REDACTED] [REDACTED]

BACKGROUND INFORMATION:

Detective Peter Hansen and I were assigned to investigate an incident that occurred in WI Supreme Court Justice Ann Walsh Bradley's office on the evening of June 13, 2011. Detective Hansen and I spoke with Capitol Police Chief Charles Tubbs who put us in contact with Tina Nodolf, the Supreme Court Marshal who could assist us in obtaining contact phone numbers for the WI Supreme Court Justices and their staff.

CONTACT WITH TINA NODOLF:

On Tuesday, June 28, 2011, at approximately 1:05 pm, Detective Hansen and I made contact with Tina Nodolf in the Supreme Court Marshal Office, which is located at 16 E. in the WI State Capitol building. Tina verbally identified herself to us, we also verbally identified ourselves to Tina. The three of us sat in her office to conduct the interview with the door closed.

Tina provided us with the following statement. Tina has been employed by the State of Wisconsin as a Supreme Court Marshal for the last nine years. Tina described her position as a civilian position with no police powers. Tina works Monday through Friday, approximately 7:00 a.m. to 3:30 or 4:00 p.m. Tina said her hours could be flexible in the evening depending on what is happening in the Supreme Court.

Tina's position requires her to take care of various needs of the Supreme Court Justices and law clerks. She is also responsible for office supplies, setting up oral arguments, and acts as the liaison with other departments in the Capitol.

Tina recalls working on Monday, June 13, 2011 and believes she left the office at about 3:30 or 4:00 p.m. that day. Tina does have a work cell phone, which she provided as [REDACTED]. Tina said that her work cell phone does not allow anyone to leave voicemail messages. Tina had two missed calls on her work cell phone on the evening of June 13, 2011. Tina had these calls saved on her call log and pulled them up during this interview.

The first missed call Tina had on Monday, June 13th was at 6:30 p.m. from [REDACTED]. The second missed call on Monday, June 13th was at 6:36 p.m. from [REDACTED]. The third missed call Tina had on that evening was at 9:15 p.m. from [REDACTED]. Tina said at the time she did not recognize any of these phone numbers and she did not realize she had missed calls until approximately 4:00 a.m. on June 14, 2011 when she woke up as part of her normal routine.

Tina said it is normal for her to get multiple calls from phone numbers that she does not know. Tina said she does get calls after hours sometimes and also on weekends, but since nobody ever leaves voicemail messages, she does not return the phone calls.

Tina arrived at work on June 14, 2011 as she normally would at approximately 7:00 a.m. Tina recalled that morning; Chief Justice Shirley Abrahamson walked into her office and asked her if she had talked to Justice Ann Walsh Bradley yet. Tina said she learned from the Chief Justice that the cell phone number of [REDACTED] was that of Supreme Court Justice Ann Walsh Bradley. Tina told the Chief Justice she had not spoken with Justice Bradley yet. Tina asked the Chief Justice if she knew what Justice Bradley wanted. The Chief Justice did

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not go into what Justice Bradley needed to speak with Tina about, but she asked that Tina meet with Justice Bradley when she could.

At approximately 8:15 am, Tina went to up Justice Bradley's office. Justice Bradley told Tina about an incident that had occurred on June 13, 2011. Tina described Justice Bradley as being visibly upset as she spoke to her about the incident. Justice Bradley told Tina she was in her office with Chief Justice Abrahamson just prior to the incident. Justice Bradley and the Chief Justice were reviewing the dissent that the Chief Justice wrote regarding the collective bargaining case.

Justice Bradley told Tina that four of the other Supreme Court Justices walked into the office and stood at her doorway. Justice Bradley told Tina that the four Justices were standing in her doorway in the following order: Ann Ziegler, David Prosser, Pat Roggensack and Michael Gableman. Justice Bradley told Tina she was sitting at her desk when Justice Prosser began yelling about Chief Justice Abrahamson being a bad leader and questioning as to why the court decision wasn't released to the media yet.

Justice Bradley told Tina she asked Justice Prosser to calm down and he initially did calm down. Justice Bradley told Tina that Justice Prosser continued to verbally attack Chief Justice Abrahamson. This verbal attack caused Justice Bradley to stand up and walk swiftly towards Justice Prosser. Tina said that Justice Bradley told her she stood up and "got in his personal space." Tina said Justice Bradley told her she was ordering Justice Prosser to get out of her office. Justice Bradley told Tina that Justice Prosser then "grabbed her by the throat".

Justice Bradley told Tina that Justice Roggensack assisted in separating Justice Bradley and Justice Prosser. Tina said that Justice Bradley told her that Justice Prosser "put his hands around my throat, but he did not squeeze my throat." Justice Roggensack told Justice Bradley to "calm down, your not acting like yourself. You didn't have to rush at Dave." Justice Bradley said Justice Gableman left the office with Justice Prosser.

Justice Bradley told Tina that her law clerk Rachel Graham was working in her office when this incident took place. Tina described Rachel's office as being attached to the Justice Bradley's office chambers. Tina said on Tuesday June 14, 2011, she told Justice Bradley and Rachel to write down what they saw or heard and keep it as notes in case they needed them in the future.

Tina said when she talked to Justice Bradley on June 14, 2011, she did not observe any visible injuries or bruising around Justice Bradley's neck. Tina stated that Justice Bradley did not complain of any pain around her neck, but was obviously emotionally upset and began to cry at various times when she was recalling what had happened to her.

Justice Bradley also told Tina she tried to call her cell phone right after the incident happened. Tina said Justice Bradley called Capitol Police Chief Charles Tubbs after the incident and left him a voicemail message, and she also spoke to her husband Mark and told him what happened to her.

Tina discussed Justice Bradley's options with her. Justice Bradley had not decided if she was going to report the incident to police, file a restraining order or discuss the incident during the next court conference. Justice Bradley told Tina she feared for her safety and the Chief Justice's safety.

Tina said after she finished talking with Justice Bradley she went and talked with Chief Justice Shirley Abrahamson. Tina stated she also told the Chief Justice to write down what had happened and keep it for future reference.

Tina described how the Chief Justice demonstrated on her how Justice Prosser grabbed Justice Bradley around the throat. I asked Tina if she could demonstrate on me how the Chief Justice had reenacted the incident. I stood up and Tina placed both of her hands around my neck and said that according to Chief Justice Abrahamson, Justice Bradley was standing close to Justice Prosser when this incident occurred. Tina put both of her hands on my neck and had her thumbs in the front of my neck and her fingers wrapped around the back of my

neck so that her palms were in contact with my neck. Tina said the Chief Justice believed it was clear that both of Justice Prosser's hands were around Justice Bradley's neck. The Chief Justice told Tina she believed, in her opinion that Justice Prosser was more of the aggressor towards Justice Bradley.

The Chief Justice did express concern about her safety to Tina. Tina said the Chief Justice told her that when she works in the evening hours and weekends that she will keep her door closed and locked unless her law clerk is present.

Tina was not aware of any other physical altercations that had occurred between the Justices prior to the June 13, 2011 incident. Tina said she heard about different verbal arguments and verbal attacks happening between the Justices throughout her employment as the Supreme Court Marshal. Tina could not get more specific on when these verbal incidents had occurred. Tina believed if we asked other law clerks or people that were close to the hearing rooms or conference room, we would discover that tempers get heated between the Justices. Tina said there have been verbal arguments and Justices have walked out of conferences during some of these heated debates.

Tina explained the Justice chambers and meeting rooms are not recorded. Tina stated the only recorded room would be the hearing room. The hearing room is audio recorded when the Justices all meet together in that room. Tina also described a conference room that the Justices use for meetings and different conference settings. Tina said when conferences occur, it is normal for only the Justices to be present. Tina said from time to time there are court commissioners that may sit in on the conferences with the Justices. Tina described that the commissioners sit in during the reading of cases that are trying to petition to the Supreme Court. Tina believed it was unusual for all of the Justices to meet in someone's chambers or office and that would not be common practice.

Tina said Supreme Court Justice law clerk's work very late hours this time of year. It is common that closer to the end of June the law clerks and Justices stay long after business hours to work on their cases.

On Tuesday, June 14, 2011, Tina typed notes regarding the conversations she had with the Chief Justice and Justice Bradley. Tina provided Detective Hansen and I with a copy of her notes. The notes are attached to this report and summarize the same statement Tina gave to Detective Hansen and I.

Detective Hansen and I thanked Tina for meeting with us and ended our contact with her at approximately 1:50 p.m. We both provided Tina with our business cards and told her if she had any questions, she could contact us.

ATTACHMENT

1 page of typed notes received from Tina Nodolf.

END OF REPORT

Detective Sabrina Sims
Dane County Sheriff's Office

dlw Fri Jul 15 09:23:21 CDT 2011

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Supplement

06/30/11 Detective S. Sims INTERVIEW JUSTICE ANNETTE KINGSLAND ZIEGLER

PERSON CONTACTED:

ANNETTE KINGSLAND ZIEGLER
F/W DOB: 03-06-1964
Wisconsin State Supreme Court Justice
Work (608) 266-1881

INTERVIEW WITH ANNETTE KINGSLAND ZIEGLER:

On June 30, 2011, at approximately 11:30 a.m., Detective Peter Hansen and I met with Wisconsin Supreme Court Justice Annette Kingsland Ziegler in her office located in the Wisconsin State Capitol. Detective Hansen, Justice Ziegler and I were the only three present in her office with the door closed during the interview.

Detective Hansen explained we were assigned to investigate the incident that had occurred on June 13, 2011, in Justice Bradley's chambers. Justice Ziegler provided the following statement.

Justice Ziegler recalled on June 13, 2011, the Supreme Court justices were awaiting the Chief Justice's dissent regarding the collective bargaining case that they had argued the week before. Justice Ziegler stated at about 5:30pm, she and Justices Prosser, Gableman and Roggensack had all stopped by Chief Justice Shirley Abrahamson's office to see if the dissent was completed. Justice Ziegler said the Chief Justice was not in her office so they walked down as a group to Justice Bradley's office to find out if the Chief was in there, and if so, ask her how much longer it would take for the dissent to be completed.

Justice Ziegler clarified that on Friday, June 10, 2011 the Chief Justice told all the other justices that after the weekend the decision would be ready to go out on Monday and all the writings would be completed at that time. Justice Ziegler stated that throughout the day Monday, various times came and went and the Chief Justice was still not done finalizing the dissent.

Justice Ziegler stated this is why the group of four justices went down to Justice Bradley's office to find out if the writings were in fact done. They had also wanted to find out if the law clerks were going to stay and prepare the opinions this evening. Justice Ziegler stated she was standing in front of the group of justices, just inside the doorway leading to Justice Bradley's office. Justice Ziegler described the area she was standing in as Justice Bradley's assistant's office.

Justice Ziegler said Justice Bradley was sitting at her desk and Chief Justice Abrahamson was sitting across the desk in a chair. Justice Ziegler described to her right and a little bit behind her was Justice Prosser, then Justice Roggensack and lastly Justice Gableman. Justice Ziegler stated her attention was focused on the Chief Justice and she was engaged in conversation, questioning if the Chief Justice had finished writing the dissent. Justice Ziegler stated she was focused on the Chief Justice and asked if she had alerted the law clerks to stay after hours tonight. She asked if the Chief Justice had notified the Public Information Officer, the media or if she had issued a press release that the decision was coming.

Justice Ziegler stated the Chief Justice indicated she had not done any one of those things. Justice Ziegler asked the Chief Justice when the opinion was going to be done but the Chief Justice could not provide her with a definite time frame.

Justice Ziegler recalled that Justice Prosser was going to write a concurrence to the majority opinion at some point between Friday June 10, 2011 and Monday, June 13, 2011. Justice Ziegler could not recall the exact time she found out that Justice Prosser was writing, but she was aware of it before Monday.

Justice Ziegler said she was still engaged in the conversation with the Chief

08/23/11

Justice when she heard Justice Prosser say something to the effect of "I've lost confidence in your leadership." Justice Ziegler described Justice Prosser's voice as being a firm tone, but did not believe that he was screaming or yelling at this point. Justice Ziegler said his voice was not quiet and he was standing still when he made the statement. Justice Ziegler stated this statement prompted Justice Bradley to stand up from her desk and "walk quickly" towards Justice Prosser. Justice Ziegler said Justice Bradley walked past her and walked in front of Justice Prosser and "got in David's face".

Justice Ziegler said she did not look away from the Chief Justice and continued to engage in the conversation she was having with the Chief Justice. Justice Ziegler believed that Justice Bradley stood up to take defense of the Chief Justice and described Justice Bradley as being "protective of the Chief Justice". Justice Ziegler further described the relationship of the Chief Justice and Justice Bradley as "mother/daughter or like best friends".

Justice Ziegler recalled that as Justice Bradley was walking towards Justice Prosser, she heard her say some comment to the effect of "get out of my office." Justice Ziegler could not recall the exact wording that Justice Bradley stated and could not recall where Justice Bradley's hands were as she walked past her.

Justice Ziegler said she did not see what had happened between Justice Bradley and Justice Prosser, but heard Justice Roggensack say "Ann stop it, this is not like you." Justice Ziegler said after she heard this comment, she did turn her head back to the right because this statement by Justice Roggensack drew her attention behind her. Justice Ziegler said when she turned her head, she saw Justice Prosser's hands up by Justice Bradley's neck area. Justice Ziegler could not see the front of Justice Bradley and could not see if Justice Prosser's hands were in fact touching Justice Bradley's neck area at all.

Justice Ziegler described Justice Bradley as being "close in proximity" to Justice Prosser and she thought possibly Justice Prosser's hands were touching Justice Bradley, but she could not confirm exactly where his hands were. Justice Ziegler stated "the whole thing was shocking to me." Justice Ziegler also recalled Justice Roggensack saying a couple different times "Ann that's not like you." Justice Ziegler could not recall seeing how Justices Bradley and Prosser separated, but recalled that Justice Prosser and Justice Gableman left the office shortly after hearing Justice Roggensack say "Ann, this is not like you."

Justice Ziegler said she stayed in the office with the Chief Justice and Justice Bradley after the others had left. Justice Ziegler said she continued asking the Chief about the time line for the opinion being completed. Justice Ziegler said after Justice Prosser left, the first thing Justice Bradley did was sit down at her desk and start typing. Justice Ziegler thought that it was odd that Justice Bradley did not have a reaction if someone had just "choked her." Justice Ziegler thought that the Chief Justice would have asked Justice Bradley if she was okay or there would have been some sort of conversation about what had just happened. Justice Ziegler said "the whole thing was just bizarre."

Justice Ziegler made the comment "I know he didn't choke her." We asked Justice Ziegler how she knew that Justice Prosser did not choke Justice Bradley. Justice Ziegler said it seemed as though if he did "choke" Justice Bradley that there would have been a different conversation after the incident. Justice Ziegler thought it was odd that Justice Bradley and the Chief Justice didn't talk about it. Justice Ziegler also said Justice Bradley did not look at her neck to see if she was okay so it would seem as though she wasn't "choked". Justice Ziegler again repeated that "the whole thing was just bizarre."

Justice Ziegler confirmed that she did not see the actual incident take place because by the time she turned her head, she was unable to see from her vantage point if Justice Prosser's hands had actually made contact with Justice Bradley's neck. She again said that she knew Justice Prosser's hands were up, but she could not confirm exactly where they were.

Justice Ziegler said after she spoke with the Chief Justice, she went back to her office where she had typed up some notes about what she just witnessed for

herself. Justice Ziegler provided us with the copy of the notes she had typed up at 6:20 p.m. on June 13, 2011. A copy of those notes is attached to this report.

Justice Ziegler said she had not discussed the incident with anyone in her office. Justice Ziegler said she had mentioned to Justice Roggensack that she drafted some notes after the incident and Justice Roggensack said she wrote some notes as well.

Justice Ziegler said she did not discuss details of the incident with her husband, but did tell him when she got home the night of June 13, 2011 that she had a very weird day at court today. Justice Ziegler said she had not discussed the incident with anyone else because she did not want to get others involved.

HISTORY OF WORK ENVIRONMENT:

Justice Ziegler said she has not witnessed any other physical contact between any of the justices prior to June 13, 2011. Justice Ziegler described her work environment during her four years on the Wisconsin State Supreme Court as "weird" and she has "never worked in a work environment like this one."

Justice Ziegler said she has never observed Justice Prosser become physical with any of the other justices prior to the incident on June 13, 2011. Justice Ziegler described Justice Prosser as being a "theatrical speaker" and stated she believed that Justice Bradley was similar in her traits in that she can be "theatrical" at times. Justice Ziegler said Justice Bradley can be "up and down emotionally" at times and described Justice Prosser as "staying calm".

Justice Ziegler described an incident that had occurred in conference when Justice Prosser had called the Chief Justice a "bitch" and stated that it was very bizarre after that incident had occurred because there was no real reaction by anyone afterwards.

We asked Justice Ziegler if she had any safety concerns at work. Justice Ziegler said she is not afraid to come to work and she has no safety concerns from other co-workers as a result of the environment she works in.

Justice Ziegler needed to get back to conference so we ended our interview at approximately 12:15 p.m. Detective Hansen and I thanked Justice Ziegler for her time and I provided Justice Ziegler with my business card.

ATTACHMENTS

Justice Ziegler's one page of handwritten notes dated June 13, 2011 at 6:20 pm.

Detective Sabrina Sims
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:23:59 CDT 2011

08/23/11

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Case #110176237 06/29/11 Detective S. Sims

INTERVIEW WITH JUSTICE ANN WALSH BRADLEY

PERSON CONTACTED:

ANN WALSH BRADLEY
F/W DOB: 07/05/1950
HEIGHT: 5'03" WEIGHT: 131
Hair Color: Blonde Eye Color: Blue

Wisconsin Supreme Court Justice
16 E. State Capitol
Madison, WI 53701
Work (608) 266-1886

INTERVIEW WITH WISCONSIN SUPREME COURT JUSTICE ANN WALSH BRADLEY:

On Tuesday, June 28, 2011, at approximately 4:15 p.m., Detective Hansen and I met with WI Supreme Court Justice Ann Walsh Bradley in her chambers located in the Wisconsin State Capitol Building. Detective Hansen and I verbally introduced ourselves to Justice Bradley and she invited us into her office. The three of us sat in Justice Bradley's office during this interview. The door was closed and nobody else was present.

We explained to Justice Bradley we had been assigned to investigate the incident that had occurred in her office on June 13, 2011. Justice Bradley provided the following statements.

Justice Bradley stated that the Supreme Court had been hearing arguments regarding the collective bargaining case the week prior to the incident. Justice Bradley stated that on Friday June 10, 2011 in the afternoon, Chief Justice Shirley Abrahamson sent out an email to all of the other justices asking if anyone else was writing a concurring opinion to the court's decision. To Justice Bradley's knowledge, nobody responded to the email and there would be no further concurrence written.

Justice Bradley stated that on Monday, June 13, 2011, at approximately 9:45 a.m., all 7 Supreme Court justices met as a group to discuss the Supreme Court's decision and the writings that were to follow. Justice Bradley believed that at approximately 1:00 or 1:30 p.m., Justice David Prosser circulated his concurring opinion via email to the other justices. Justice Bradley stated because of this additional concurring opinion, Chief Justice Abrahamson needed to revise and respond to Justice Prosser's concurrence.

Justice Bradley stated that there had been pressure and time concerns with the release of the Court's writing by other justices of the Supreme Court. Justice Bradley stated she was assisting the Chief Justice in drafting the dissent. At approximately 5:30 to 5:40 p.m., Chief Justice Abrahamson had completed a draft of the dissent, so Justice Bradley just sat down at her desk to begin reading the draft. Justice Bradley stated she and the Chief Justice were in her office and she recalled being about on page 4 when she heard someone walk into her assistant's area. Justice Bradley realized that it was the four other justices that were still in the building. Justice Bradley described the justices as standing in her assistant's office near the doorway that leads into her office. Justice Bradley stated Justice Annette Ziegler was standing in front and to the far right as you face her office door looking out into the assistant's office. Just to Ziegler's right and slightly behind her was Justice David Prosser, just to his right was Justice Pat Roggensack, and just to her right but a little behind her was Justice Michael Gableman. Justice Bradley described the group of four as being inside her assistant's area and not directly in her office.

Justice Bradley stated she continued to sit at her desk while the four other justices spoke with Chief Justice Abrahamson in the doorway. Justice Bradley believed the Chief Justice was standing near the doorway during this discussion. Justice Bradley stated the discussion was about the four other justices

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requesting a press release saying when the Court would release its written opinion.

Justice Bradley stated Chief Justice Abrahamson told the four justices that a press release was not going to happen tonight. The Chief Justice further explained that nobody is at the law clerk's office right now to draft the courts decision and the public information officer was gone because it was after business hours.

Justice Bradley stated conversation continued regarding the request for a press release being done. Justice Bradley recalled the details of the conversation being something about "she (the Chief) is only one person, how can she stop them" and she also recalled the discussion being about how the other justices were four votes and they want a press release done. Justice Bradley stated she had not got up from her desk initially and her thought was the Chief Justice could handle the argument that was ensuing. Justice Bradley was continuing to read through the rough draft of the dissent at her desk.

Justice Bradley stated that Justice Prosser's voice began to rise and his voice was directed toward the Chief Justice. Justice Bradley described Justice Prosser as "working himself up" like she has seen before. Justice Bradley said she remained seated at her desk and used a firm tone of voice saying "David we're no longer willing to put up with your yelling and abusive behavior." Justice Bradley stated after she used this tone of voice, Justice Prosser did stop yelling and the discussion regarding the press release and opinion being sent out continued between the four justices and Chief Justice Abrahamson.

Justice Bradley recalled Justice Prosser saying, "The dissent was holding up the Supreme Court opinion being published." Justice Bradley stated Justice Prosser continued saying that they were slowing up the process. Justice Bradley said that it was at this point that she stood up from her desk and directed her voice towards Justice Prosser stating, "We didn't get your 18 page opinion until about 1:30. The Chief Justice has been working on it nonstop." Justice Bradley said she was still standing behind her desk at this point in the conversation.

Justice Bradley stated Justice Prosser's response was something about him telling the other justices in an email on Friday that he was going to write his own concurring opinion. Justice Bradley stated she did not recall an email being sent and told him so. After arguing with him back and forth about this email, Justice Bradley stated she walked back towards her computer, which faces to the right of her desk. She then began skimming through her emails, searching for an email from Justice Prosser last Friday. Justice Bradley stated she was standing behind her chair and was not seated at this point.

Justice Bradley asked Justice Prosser what the urgency of all of this is about and she asked why they were insisting on a press release. Justice Bradley continued by saying "all day pundits have been making predictions about when this court will release an order." Justice Bradley continued asking why they needed a press release done and explained that the "justices work on court time, not the legislature's time." Justice Bradley said she again asked why they were insisting on a press release.

Justice Bradley continued searching for the email and Justice Prosser asked if she was calling him a "liar". Justice Bradley said she told Justice Prosser something to the effect of, "No, but we didn't know you were writing a concurring opinion, therefore we weren't prepared to respond to it."

Justice Bradley stated Justice Prosser began "getting worked up again" and began escalating his voice and said the published opinion needs to go out tomorrow. Justice Bradley stated she continued to say that the court releases things on court time.

Justice Bradley said at this point Justice Prosser began directing his loud voice at the Chief Justice again. Justice Prosser said something to the effect of, "Chief, I have lost confidence in your leadership."

Justice Bradley said she began to walk over towards where Justice Prosser was standing, which was just outside of her office doorway. As she got closer to

him Justice Bradley told Justice Prosser "Buddy don't raise your voice again. I'm no longer willing to put up with this." Justice Bradley described how she was now standing close to Justice Prosser and was "face to face to confront him." Justice Bradley stated she was pointing with her left hand towards the door that was behind him and said, "You get out of my office."

Justice Bradley stated her intention was to get close to him to make sure he knew that she meant it. Justice Bradley said she wanted to look him in the eyes and recalled that she did not point at his face, but was pointing over his right shoulder towards the door that was behind him.

Justice Bradley said it was at this point Justice Prosser grabbed her by the neck in what she described as a "choke hold." Justice Bradley did not recall Justice Prosser squeezing or applying pressure around her neck. Justice Bradley could not describe how many seconds Justice Prosser's hands were around her neck, but she did recall being able to yell something to the effect of, "Get your hands off my neck."


Justice Bradley stated Justice Roggensack pulled her back and away from Justice Prosser. Justice Bradley recalled moving towards her doorway and being pulled back towards her office door. Justice Bradley did not know if anyone had pulled Justice Prosser off of her, but did recall that Justice Gableman and Justice Prosser left her assistant's office immediately.

Justice Bradley recalled right after or as she was pulled away by Justice Roggensack, Justice Roggensack said, "Ann, this isn't like you, you charged at him." Justice Bradley stated she responded by saying, "I didn't touch him at all."

Justice Bradley did recall that as she spoke directly to Justice Prosser, she had her left hand up and was pointing her left index finger toward the main office door. Justice Bradley said her right hand was down towards her side and she did not believe that she lifted her right hand during the entire incident. Justice Bradley recalled looking directly into Justice Prosser's eyes when she was telling him to get out of her office. Justice Bradley said she was demanding that he leave because she was no longer going to tolerate verbal abuse against the Chief Justice.

Justice Bradley confirmed that this incident took place outside of her office, which would be just directly inside her assistant's office space. Justice Bradley further described the hold by Prosser as "kind of a choke hold." Justice Bradley was not sure if Justice Prosser's hands met in the back of her neck or if his fingers touched one another behind her neck. Justice Bradley did not remember pressure being applied when Justice Prosser's hands were around her neck. Justice Bradley stated she did not feel pain, nor did she feel as though her breathing had been inhibited by his hands being around her neck.

Justice Bradley described Justice Prosser's hands as "making contact with the skin around my neck like a full circle". Detective Hansen asked Justice Bradley if an accurate description would be skin-to-skin contact around the circumference of her neck and she replied yes it would. Justice Bradley thought that Justice Prosser's hands were on her neck for a few seconds. Justice Bradley did not notice any bruising or redness around her neck after the incident but she did not specifically check for marks on her neck either. She said she did not have any pain on the area that Justice Prosser touched. Justice Bradley told Detective Hansen and I that she



Justice Bradley did not consent to Justice Prosser putting his hands on or around her neck and said she was disturbed by his actions. Justice Bradley described herself as "feeling eerie" about the whole situation. We asked Justice Bradley if she had feared for her physical safety as the incident was happening and she responded by saying "not really." Justice Bradley stated that the whole thing happened so quickly and because other people were in the room she didn't really have time to think about it.

Justice Bradley said in the days that have passed since the incident, she has a fear of her safety and the physical safety of other coworkers. Justice Bradley said she was not expecting Justice Prosser to put his hands on her. Justice Bradley said she expected him to move back from her when she was pointing for him to leave the office. Justice Bradley said she did not put her hands on Justice Prosser at any point during the incident.

In the time immediately following the incident, Justice Bradley went back over to her desk and sat down. She started typing what she described as "an incident report" detailing what had just occurred. Justice Bradley believed this would distract her from getting emotional. Justice Bradley recalled thinking to herself "what just happened." She said as she was typing the incident report, she did become emotional.

As Detective Hansen and I were speaking with Justice Bradley about the details of the incident, she did begin to cry and was emotional throughout her whole description of the incident.

Justice Bradley said shortly after the incident, she called Justice N. Patrick Crooks because Justice Crooks had gone home early that evening. Justice Bradley spoke with Justice Crooks and told him that, "Prosser just put me in a choke hold." Justice Bradley stated Justice Crooks told her she needed to call Court Marshal Tina right away and inform her of what just happened. Justice Bradley recalled that at this point, Justice Ziegler and Chief Justice Abrahamson were still at her office doorway talking about the press release and the timeline of when the dissenting opinion would be ready. Justice Ziegler and Justice Roggensack left a few moments later.

Justice Bradley ended her phone contact with Justice Crooks and then tried to call Marshal Tina on her cell phone, but there was no answer. Justice Bradley did not leave a voicemail message because Tina's phone did not allow her to do so. Justice Bradley said the Chief Justice went back to her office and got Tina's home phone number for her. Justice Bradley tried calling Tina at home and believed she left a message but could not recall for sure.

Justice Bradley sat at her desk and continued to write up the incident report about what just happened to her. Justice Bradley said she called Chief Tubbs at his office and his cell phone and left him a voicemail message about the incident.

Justice Bradley stated that her law clerk, Rachel Graham, was sitting in her office next door and heard the whole thing occur. Justice Bradley said at one point she did walk over to Rachel and told her, "I'm really sorry you had to hear all of this." Justice Bradley said that she and Rachel tried to work on the dissenting opinion, but she was too emotional and could not concentrate. Justice Bradley said the Chief Justice had decided to take a break and leave for dinner. Justice Bradley said after trying to stay and work on the opinion for a little while longer, she decided that she couldn't take it and had to go home.

Justice Bradley said before going home she emailed all of the other justices telling them that she couldn't deal with concentrating tonight due to the events of the evening but that she would return in the morning to continue to work on the dissenting opinion.

Justice Bradley went home where she was met by her husband, Mark and she immediately started crying and told him what had happened. Justice Bradley stated she discussed with her husband what her actions should be and if she should tell people about what had occurred. Justice Bradley stated her husband requested her to get a restraining order against Justice Prosser. Justice Bradley stated she wanted to try and handle everything internally and would deal with it when she returned to work the next day.

TUESDAY, JUNE 14, 2011:

Justice Bradley recalled that she received a telephone call on Tuesday morning at approximately 7:30 a.m. from Capitol Police Chief Charles Tubbs. Justice Bradley said she spoke with Chief Tubbs about the incident and explained to him

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that Justice Prosser had put his hands around her neck. Chief Tubbs asked Justice Bradley if she was calling him on a personal level or if she was willing to file a written report, which would be subject to public record. Justice Bradley said at this point she chose to speak with Chief Tubbs on a personal note because she was not sure what to do. Justice Bradley recalled speaking with Chief Tubbs a couple of times during the day on Tuesday, June 14.

Justice Bradley stated she spoke with Chief Justice Abrahamson and Justice Crooks informing them she wanted to schedule a meeting with all of the justices on Wednesday morning. Justice Bradley requested that Chief Tubbs be present for this meeting. Justice Bradley stated she did not want to meet in the conference room with all of the other justices without discussing the incident as a group and she would feel more comfortable if Capitol Police Chief Tubbs was present. Justice Bradley said her intention was to address the issues before proceeding with any other work product. Justice Bradley wanted to address safety in the workplace with the other justices.

Justice Bradley sent out an email to the other justices informing them she had invited Chief Tubbs to the meeting to discuss workplace security. Justice Bradley said that Justice Roggensack responded to her email asking, "Ann, do you have problems with security." Justice Bradley provided Detective Hansen and I with a copy of her email, which is attached to this report.

WEDNESDAY, JUNE 15, 2011:

At approximately 8:30 a.m. on Wednesday, June 15, 2011, the seven Supreme Court Justices, Capitol Police Chief Charles Tubbs, and Supreme Court Human Resources Officer Margaret Brady met in the conference room. Margaret Brady was assigned by Chief Tubbs to take notes during the meeting. Justice Bradley said Justice Gableman was questioning Margaret's presence and asked why she was taking notes at the meeting. Justice Bradley stated Chief Tubbs told them that Margaret was there from a human resource standpoint to take notes and document the meeting.

Justice Bradley pulled out notes that she had typed and stated she had typed these notes and rehearsed them like a speech because she wanted to tell the other justices how she was feeling. Justice Bradley provided Detective Hansen and I with this speech and it is attached to this report.

At this point in the interview, Justice Bradley began reading the speech she had drafted and it was the same speech that she read during the June 15th meeting. While Justice Bradley read her speech to Detective Hansen and I, she needed to take breaks and broke down emotionally. Justice Bradley walked into her bathroom on a couple different occasions at this point in the interview. Justice Bradley apologized for being emotional and said she didn't realize that she would be so emotional after the incident. Justice Bradley said she had held her emotions together during the meeting with her colleagues.

Justice Bradley said after she finished reading what she had written, Justice Gableman said to Chief Tubbs "you don't have all the facts." Justice Bradley remembered saying at the meeting that "this is about a co-worker putting his hands around another co-worker's neck in a choke hold in anger." Justice Roggensack said something about not condoning what Prosser did, but "Ann you do realize you goad him." Justice Bradley felt that her goal of having Chief Tubbs at the meeting was to insure safety in the workplace. Justice Bradley did not feel that the point was getting across the way she intended.

Justice Bradley said at one point during the meeting, Justice Prosser was talking with Chief Tubbs about having his hands up on Justice Bradley's shoulders. Justice Bradley said she then corrected Justice Prosser by telling him, "No Dave, they were around my neck." Justice Bradley said Justice Prosser did not deny having his hands around her neck and she corrected him and said, "Your hands were around my neck in a choke hold." Justice Bradley said she repeated this quote several times throughout the meeting as if it was a "mantra".

Justice Bradley described Chief Tubbs as trying his best to mediate. Chief Tubbs told the group that hands around the neck is not acceptable and he wanted a commitment from the court of no violence in the workplace.

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Justice Bradley said she did not take notes during the meeting until the very end when Justice Prosser started talking. Justice Bradley said at no time during this meeting did any of the other justices suggest that she had touched Justice Prosser in any way on June 13, 2011.

Justice Prosser began speaking to Chief Tubbs again, telling him that this meeting is about threats. Justice Prosser said something to the effect of "Justice Bradley is threatening to go public if I don't go to counseling." Justice Bradley said Justice Prosser continued saying "Justice Bradley and the Chief Justice have been threatening me for years." Justice Bradley felt as though she did not get the commitment she needed about having no violence in the workplace. Justice Bradley thought the meeting lasted a little over an hour.

Justice Bradley said after the meeting on Wednesday, she spoke on the phone with Margaret Brady and asked her what will be done as a result of the morning meeting. Margaret Brady told Justice Bradley that she was powerless because "we're dealing with elected officials." Margaret further told Justice Bradley that this is more than just a push and shove, this is Prosser being a "classic abuser" and that he "minimizes everything." Justice Bradley provided the notes she had taken at the end of the meeting and during her phone conversation with Margaret. Both are attached to this report.

THURSDAY, JUNE 16, 2011:

On June 16, 2011, Justice Bradley said she met with Supreme Court marshal Tina Nodolf, Chief Tubbs, and Chief Justice Shirley Abrahamson. Justice Bradley said the point of this meeting was to decide what to do about the incident. Justice Bradley felt that there was no workable response to the meeting that had occurred on Wednesday. Justice Bradley had not asked Chief Tubbs for a police investigation up to this point. Justice Bradley thought that maybe something would have come from the meeting with all the justices, but nothing happened. Justice Bradley also thought that human resources could do something, but after speaking with Margaret, she didn't feel that that was going to happen either. Justice Bradley asked Chief Tubbs if she could continue to think about wanting to file a police report or not. Justice Bradley said she left for the weekend and tried to decide if she was going to keep it an internal problem or speak to Capitol Police and file a report.

MONDAY, JUNE 20, 2011:

Justice Bradley said on Monday, June 20, 2011, she was still trying to decide if she wanted to keep the incident internal. She thought about contacting the Judicial Commission directly. Justice Bradley said she heard that someone already alerted the Judicial Commission of the incident so she did not contact the commission. She could not recall who told her the commission was notified.

Justice Bradley stated on Monday night, at some point she spoke with Chief Tubbs. Justice Bradley said Chief Tubbs had informed her that he had received a call from the media and was wondering what he should tell them. Justice Bradley told him that she is no longer refraining from having him investigate what had happened. Justice Bradley stated she made this decision because nothing is happening internally, so she was requesting Chief Tubbs investigate and asked that he also speak with the judicial commission.

Justice Bradley stated at approximately 9:25 p.m., she sent Chief Tubbs an email from her personal home computer, which was an attachment of the speech that she had read during the Wednesday meeting to all the justices.

WEDNESDAY, JUNE 22, 2011:

Justice Bradley said her assistant, Sherie Sasso, came into her office at some point on Wednesday June 22, 2011 and asked her if she was doing okay. Justice Bradley stated Sherie has been her assistant for 16 years and she was concerned about her welfare. Sherie told her she felt she had been "traumatized" by the incident and wanted to make sure she was doing ok.

Justice Bradley spoke with Chief Tubbs again and discussed the possibility of

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having Capitol Police investigate the incident. Justice Bradley said Chief Tubbs talked to her about his concern that he should turn the investigation over to different authorities. Chief Tubbs requested time to decide what he should do with the investigation.

Justice Bradley said she was still not sure what to do so she and Chief Tubbs decided that they should just wait and to decide if she is ready to go public. Justice Bradley asked Chief Tubbs to wait until Friday, June 24, 2011, because the judicial commission meets on Friday and "they could see if anything happens." Justice Bradley said after Friday's judicial commission meeting, she realized that nothing was going to happen, so she decided she wanted to report it to police.

Justice Bradley said she had also contacted the director of the judicial commission, Jim Alexander, because of his experience and she contacted him in an informal way. Justice Bradley asked his opinion on what to do and how to figure out how to proceed. Justice Bradley again said after trying all avenues of keeping this incident internal, she felt as though she was not getting the answers she needed or the outcome she wanted regarding a safe work environment. Justice Bradley again said this was her reason to decide to come forward and discuss the incident with us.

Justice Bradley said her goal in reporting this incident and not keeping it an internal issue, is that she wants to ensure a safe workplace. Justice Bradley said she believes that Justice Prosser needs to go to counseling. Justice Bradley believes if Justice Prosser received counseling, she would be satisfied that it would ensure a safe workplace. Justice Bradley had typed notes reference her conversation with Chief Tubbs on June 22, 2011 and those notes are attached to this report.

HISTORY OF WORK ENVIRONMENT:

We asked Justice Bradley to describe her working environment with Justice Prosser over the years they have worked with each other as Supreme Court Justices. Justice Bradley has been on the Supreme Court for 16 years and Justice Prosser has been on for 13 years. Justice Bradley described Justice Prosser as being verbally abusive in the past, describing these incidents as screaming incidents and fits of agitation and rage. She further described Justice Prosser as being irrational at times and making verbal threats like, "You bitch I will destroy you if you don't withdraw and it won't be by a ground war." Justice Bradley said this was the threat he made to Chief Justice in February 2010. Justice Bradley said after Justice Prosser's outburst against the Chief Justice, she sent an email to all of the justices regarding Justice Prosser's behavior. Justice Bradley provided us with an email sent to the Chief Justice and Justice Crooks titled "draft response to Justice Prosser's email of yesterday afternoon re Sveum". Justice Bradley said she ended up sending a version of this email to her colleagues to discuss how Justice Prosser's behavior is no longer acceptable and it needs to be addressed. Justice Bradley recalls emailing back and forth with Justice Roggensack who told Justice Bradley "Ann you enable his behavior and you goad him."

Justice Bradley described Justice Prosser's behavior as escalating over the years. Justice Bradley said Justice Prosser would go, "Months without having outbursts, but then just goes off." She also said, "You never know what will set him off." Justice Bradley also feels as though Justice Prosser is paranoid and feels like it is getting worse. Justice Bradley feels as though Justice Prosser's anger is focused towards Chief Justice Abrahamson.

Justice Bradley described Justice Prosser's behavior as escalating because it began with yelling, then continued to escalate by verbal threats, and now it has turned to physical contact with a coworker. Justice Bradley then said, "What's next?"

Justice Bradley said in April 2011, she met with court marshal Tina due to her concerns for the safety of Chief Justice Abrahamson. Justice Bradley said she never really thought about her own physical safety being in danger, but she was concerned for the physical safety of Chief Justice Abrahamson. Justice Bradley said after she expressed her concerns to Tina that Tina met with Capitol Police

Chief Tubbs. The result of that meeting was that Tina provided Justice Bradley and Chief Justice Abrahamson with all of Chief Tubbs' phone numbers, as well as his home numbers in case anything were to happen they could contact him right away. Justice Bradley provided us with a copy of the email she received from Tina, which included Chief Tubbs telephone numbers. Tina also told Justice Bradley and the Chief Justice to lock their office doors after business hours if they stayed in the building late.

Detective Hansen and I thanked Justice Bradley for her time and provided her with our business cards. Detective Hansen and I ended our contact with Justice Bradley at approximately 6:55 p.m. and left her office.

PHOTOGRAPHS:

Detective Hansen took digital photographs of the Justice Bradley's office area to include her assistant's office, law clerk office and Justice Bradley's office. Those digital images were saved under this case number. Refer to Detective Hansen's report for a detailed description and estimated dimensions of Justice Bradley's office.

ATTACHMENTS:

Typed notes dated June 13, 2011 at 6:10 pm. (2 pages)
Email between Justice Bradley and Justice Roggensack dated 06/14/2011 (1 page)
Typed speech read at June 15th meeting (3 pages)
Handwritten notes dated last comments of 6-15-11 meeting (1 page)
Handwritten notes dated 6-15-11 Conversation w/Margaret Brady (2 pages)
Typed notes dated June 22, 2011 (1 page)
Email from Tina Nodolf dated 04/08/2011 (1 page of Chief Tubbs Phone numbers)
Handwritten notes dated 06/21/10 (1 page)
Email from Ann Bradley dated 02/18/2010 (2 pages)
Email from Ann Bradley dated 02/21/2010 (2 pages)

END OF REPORT

Detective Sabrina Sims
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:24:43 CDT 2011

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07/01/11 Detective S. Sims INTERVIEW WITH CHIEF JUSTICE SHIRLEY S. ABRAHAMSON

PERSON CONTACTED:

Shirley S. Abrahamson
F/W DOB: 12/17/1933
Work (608) 266-1885
Chief Justice Wisconsin State Supreme Court

INTERVIEW WITH CHIEF JUSTICE ABRAHAMSON:

On Friday, July 1, 2011, at approximately 11:00 a.m., Detective Peter Hansen and I met with Chief Justice Shirley Abrahamson in her chambers located in the Wisconsin State Capitol. Detective Hansen, the Chief Justice and I were the only three present in her office during the interview with the door shut. Detective Hansen and I verbally identified ourselves to the Chief Justice and informed her we were assigned to investigate the incident that occurred in Justice Bradley's office on June 13, 2011. Chief Justice Abrahamson provided us with the following statement.

Chief Justice Abrahamson recalled that about 6:00pm on Monday, June 13, 2011, she was in Justice Bradley's office. The two of them were beginning to review the rough draft of the dissent's opinion regarding the collective bargaining case. The Chief Justice said four of the other Supreme Court Justices came into Justice Bradley's assistant's office. The Justices wanted to discuss when her dissent opinion was going to be finished. The Chief Justice stated Justice Ziegler was standing in the doorway leading to Justice Bradley's office with Justice Prosser behind her and to her right, then Justice Roggensack next to him on the right, and Justice Gableman in the far back.

The Chief Justice said she stood in the doorway of Justice Bradley's office and was speaking with the group regarding the issuance of a press release. The Chief Justice said the other four justices wanted the opinion to go out and a press release stating when this was going to occur. The Chief Justice told them she was not ready and was not sure when she would finish. The Chief Justice said the four other justices said that four votes were the majority and they wanted a press release to go out this evening.

The Chief Justice stated Justice Prosser began getting "agitated" regarding a press release being completed. The Chief Justice stated that Justice Bradley had been sitting at her desk and made some comment that briefly calmed down Justice Prosser. Justice Prosser was calm for a few moments. The Chief Justice said after a few more minutes of the same discussion, Justice Prosser got agitated again and began accusing the chief justice of "holding things up". The Chief Justice said Justice Prosser made a statement about "me not being a good leader and that he's lost confidence in me." The Chief Justice stated this comment prompted Justice Bradley to get up from her chair and walk towards Justice Prosser, who was still standing in the assistant's office. The Chief Justice did not recall seeing Justice Bradley's hands raised as she walked by her. Chief Justice stated if there was some sort of gesture, it was non-threatening and it wasn't one that stood out to her. She recalled Justice Bradley might have been motioning towards the door, telling Justice Prosser he needed to "get out of the office." The Chief didn't know if Justice Bradley was pointing at the door or motioning toward the door with her hand. The Chief Justice stated she did not see Justice Bradley's fist being raised at any time.

The Chief Justice said at the point Justice Bradley stood up, it was apparent to her that Justice Prosser's anger seemed very focused and directed towards the herself and not towards Justice Bradley.

The Chief Justice said when Justice Bradley approached Justice Prosser, she observed Justice Prosser put both his hands up and put them on the neck area of Justice Bradley. From the Chief Justice's vantage point, it did not appear as though Justice Prosser exerted any pressure. She stated "I got the impression there wasn't any pressure because I didn't see her eyes bulge or hear her gasp for a breath". The Chief Justice also said "I did not see her turn color."

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The Chief Justice continued, "I was shocked at what I saw."

Chief Justice said Justice Bradley appeared to be flushed in the face and that as this was happening the Chief Justice was concerned about Justice Bradley's safety. The Chief Justice was not watching Justice Prosser's face at all. She did not recall Justice Prosser saying a word during their physical contact. The Chief Justice stated Justice Roggensack pulled Justice Bradley away from Justice Prosser's grasp. The Chief Justice could not recall how Justice Roggensack pulled Justice Bradley back, but did recall hearing the comment from Justice Roggensack that "it wasn't like Ann." The Chief Justice stated that Justice Prosser and Justice Gableman immediately left the office.

The Chief Justice said "she never, never, never touched him and I'm certain of that." The Chief Justice was referring to Justice Bradley.

The Chief Justice stated after Justices Prosser and Gableman left, Justice Roggensack made a comment that "Dave is very frustrated." The Chief Justice said her response to Justice Roggensack was "sometimes I am frustrated to, but I don't have outbursts like that." The Chief Justice said it's unreasonable for someone to put his or her hands on somebody else's.

The Chief Justice said that she felt as though Justice Prosser's reaction was not warranted and that if he felt threatened he could have backed away from Justice Bradley. The Chief Justice said instead he went right for the throat." The Chief Justice said that Justice Bradley was very close to Justice Prosser, but she had stopped walking and was ordering him out of the office. The Chief Justice Believed that Justice Prosser's arms were extended out away from him when he was touching Justice Bradley around the neck.

The Chief Justice said that in the past Justice Bradley has been very protective and concerned about the Chief Justice's physical safety. The Chief Justice said she was not really concerned for her own physical safety until the most recent elections. Chief Justice said she had went to the Court Marshal, Tina, earlier around election time because she felt as though during Justice Prosser's re-election, he became focused on the Chief Justice, so she talked to Tina about her safety concerns. The Chief Justice said as a precaution, Tina told her to lock the door at night, which she has been doing when she works late.

The Chief Justice said this was the first time she has ever seen any physical confrontation between Justice Prosser and any of the other current justices.

After the incident on the night of June 13, 2011, the Chief Justice said she went out to dinner and that Justice Bradley stayed back at her chambers working on the dissent opinion. The Chief Justice said she did receive an email from Justice Bradley saying that she could not concentrate anymore this evening and that she would return on Tuesday morning, the 14th, at 8:00 a.m. and they could finish writing the opinion. The Chief Justice said she did come back to her office around 8:45 p.m. after dinner and completed working on her draft dissent. She said she worked with her law clerk Peter until about midnight.

On June 13, at approximately 9:00 p.m., the Chief Justice said she did have a phone conversation with Justice Crooks and she started telling him what had happened after he left the office today. The Chief Justice said she told Justice Crooks that Justice Prosser's hands were around Ann's neck and that he was very excited and agitated. Justice Crooks informed the Chief Justice that he had already spoken with Justice Bradley and that Justice Bradley seemed to be very disturbed and upset when she spoke with him earlier in the evening.

TUESDAY, JUNE 14, 2011:

The Chief Justice said she returned to her office on Tuesday, June 14, 2011, and continued to prepare the dissent's opinion for release to the media. The Chief Justice said her focus that day was to get the opinion out. The Chief Justice recalled speaking with Justice Bradley that day and Justice Bradley requesting that Capitol Police Chief Tubbs come to a meeting that was scheduled in the conference room with all the justices on Wednesday morning at 8:30 to discuss the incident as a group. The Chief Justice said it was her opinion to try and

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handle this incident internally and she thought it was a good idea to have Chief Tubbs present. The Chief Justice said Justice Bradley sent an email out to the other justices advising them that she had invited Chief Tubbs to the meeting.

The Chief Justice said during the day on Tuesday, she spoke on the phone with Supreme Court human resources officer Margaret Brady and asked that she attend the meeting on Wednesday morning.

WEDNESDAY, JUNE 15, 2011:

The Chief Justice stated that on Wednesday morning at approximately 8:30 a.m., all of the justices met with Margaret Brady and Capitol Police Chief Charles Tubbs in the conference room. The Chief Justice felt as though Chief Tubbs was there to discuss the incident as a whole and his message was to try and get an internal agreement and apology amongst the justices. Chief Tubbs also tried to explain that an apology and agreeing to go to counseling would go a long way. The Chief Justice said that Justice Bradley's concern and goal of the meeting was to ensure security and safety in the workplace. Justice Bradley did not want to see an incident like what had happened on the 13th happen again. The Chief Justice said Justice Bradley made a comment that she did not want to embarrass Justice Prosser. Justice Bradley wanted Justice Prosser to get counseling for anger management. The Chief Justice recalled Justice Roggensack making a comment that "I don't approve of either one of your actions." The Chief Justice said Justice Roggensack was referring to the actions of Justice Bradley and Justice Prosser.

The Chief Justice said Justice Bradley tried to confirm her goal of having this meeting be focused on this incident and safety in the workplace. Chief Justice said Justice Prosser admitted that he had been "frustrated the night of the incident" and that he was "goaded into acting the way he acted." The Chief Justice said Justice Prosser did act out what he had done physically with Ann and put his hands out in front of him. The Chief Justice said Justice Prosser did not deny touching Ann and that Justice Bradley had corrected him and said his hands were around her neck, not on her shoulders. The Chief Justice said Justice Prosser did not deny that his hands were around Justice Bradley's neck. The Chief Justice told the other justices that in her opinion, they should try and deal with the incident internally and support Justice Bradley's request for a safe work environment.

After the meeting was completed, the Chief Justice thought maybe Margaret Brady would be able to write something up for all of the justices to follow. The Chief Justice thought maybe Margaret could come up with an employee manual for the justices. Margaret told the Chief Justice she had no authority over the justices because they were elected officials. The Chief Justice said she spoke with the judicial commission about the incident and hoped they could come up with a solution as well.

HISTORY OF WORK ENVIRONMENT:

The Chief Justice described Justice Prosser's behavior in the past as being "outbursts." She described him as being disruptive at times and has tried to deal with his outbursts in the past by taking breaks for ten minutes or so and coming back to regroup. The Chief Justice said that Justice Bradley had been the best at calming Justice Prosser down in the past.

The Chief Justice said "you never know what's going to set him off." She described the outbursts as being more of "temper tantrums." The Chief Justice was not sure that Justice Prosser's behavior would have escalated to physical violence before the incident on June 13, 2011. The Chief Justice described how she had talked to some of her colleagues and friends about his behavior in the past to try and get outside opinions on how to deal with Justice Prosser.

The Chief Justice said she had taken notes to prepare for the interview but she said they were not in a format that we could understand. She did not have the notes in front of her during the interview.

Detective Hansen and I thanked the Chief Justice for the information and I

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provided her with my business card. We then left her chambers area.

END OF REPORT

Detective Sabrina Sims
Dane County Sheriff's Office
Investigative Services Bureau

esb Fri Jul 15 09:26:02 CDT 2011

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Supplement

7-06-11 Detective S. Sims INTERVIEW WITH MARGARET BRADY

PERSON CONTACTED:

Margaret M. Brady
F/W DOB: 04/16/60
Job Title: Wisconsin Supreme Court Human Resources Officer
Work: (608) 267-1940

INTERVIEW WITH MARGARET BRADY:

On July 06, 2011 at approximately 1:00 p.m., Detective Peter Hansen and I went to the Office of Management Assistance located in the Tenney Building to meet with Margaret Brady. The three of us met in Margaret Brady's office with the door closed. Detective Hansen and I verbally identified ourselves to Margaret and she verbally identified herself to us.

We explained to Margaret that we were the detectives from the Dane County Sheriff's Office assigned to investigate an incident that had occurred in the Justice Ann Walsh Bradley's Chambers on June 13, 2011. I explained to Margaret that it was my understanding she was not present during the actual incident, but she had attended a meeting between the seven Supreme Court Justices on June 15, 2011. Margaret stated she understood and provided the following statement regarding how she became aware of the incident.

Margaret has been employed by the State of Wisconsin as the Supreme Court Human Resources Officer since June 06, 2003. Margaret's duties include supervising the Human Resources staff and payroll. Margaret said during the course of her duties, she does deal with the Supreme Court Justices and their staff regarding payroll and sometimes other issues.

Margaret first became aware of the incident occurring on June 13, 2011 when she spoke with Supreme Court Chief Justice Shirley Abrahamson on Tuesday, June 14, 2011 at approximately 2:40 p.m. As Margaret began speaking with us, she did pull out some handwritten notes that she had taken regarding her conversation with the Chief Justice.

Margaret said she learned from the Chief Justice that Justice Prosser had lost his temper, and as Justice Bradley approached him she told him they were not going to tolerate his temper tantrums, and then Justice Prosser put Justice Bradley in a "chokehold." The Chief Justice told Margaret that Justice Roggensack had pulled Justice Bradley away from Justice Prosser.

The Chief Justice told Margaret that the Justices have a meeting on Wednesday, June 15, 2011. Margaret asked if Justice Bradley was pursuing a restraining order and the Chief Justice said she was not. Margaret explained to the Chief Justice that she felt as though a restraining order should be pursued so that the behavior did not continue. The Chief Justice told Margaret that no formal police report had been filed at that point.

Margaret ended her phone call with the Chief Justice and immediately went to her supervisor to inform her of what she had learned. Margaret's supervisor is Pam Radloff, the Deputy Director of State Courts.

Margaret said after speaking with Pam, it was decided she would send the Chief Justice an e-mail, which she sent at about 3:15 p.m., asking the Chief Justice if she would like her to attend the meeting on Wednesday. The Chief Justice then called Margaret at about 5:00 p.m. and said she would like her to attend. Margaret was told the meeting was at 8:30 a.m. in the conference room and Capitol Police Chief Tubbs would also be present. The meeting was going to be a safety discussion that Justice Bradley was requesting. Margaret told Detective Hansen and I that Human Resources has no authority over the court, but they were offering to be of assistance for the court because of the nature of incident that they were going to be discussing.

Margaret explained her understanding on the purpose of the meeting was that

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there was not a question of "if" Justice Prosser did choke Justice Bradley, but "how" they were going to deal with the fact that it happened. Margaret said her understanding was based on her conversation with the Chief Justice.

Margaret said she went to the meeting on Wednesday, June 15, 2011 at approximately 8:30 a.m. Margaret said she was the last person to enter the room, and the seven Supreme Court Justices were present as well as Police Chief Tubbs. Margaret said she sat off to the side of the table and took notes, as it was normal for her in her Human Resources position to take notes. Margaret said that Justice Bradley started off the meeting by explaining to everyone that she wanted to discuss workplace safety and wanted to address the issues of verbal and physical abuse. Justice Bradley also said, "Dave, this is about you." Justice Bradley also said to Justice Prosser, "You put your hands on my neck in a chokehold." Justice Bradley continuously asked the court for an assurance that this would not happen again, and this kind of behavior would not be tolerated. Justice Bradley also went on to say that she spoke with her husband Mark about it and he told her to get a restraining order. Justice Bradley also mentioned that the law does not talk about what provokes an incident, but it talks about behavior. Margaret said at this point nobody argued or corrected Justice Bradley from using the term chokehold. Justice Bradley continued saying that she wanted Justice Prosser to get meaningful help.

Margaret continues to read through her notes and summarized the meeting based upon her notes.

Justice Roggensack said that everybody was committed to having a harassment free work environment. Justice Roggensack continued saying, "You, Ann, went berserk. He wasn't putting pressure on your neck."

Justice Gableman then made a statement that all sides should be heard. Justice Roggensack said there's a lot of frustrated energy and we all agree about workplace safety.

Justice Gableman then addressed Margaret asking her if she was taking notes. Margaret felt as though Justice Gableman addressed her in an intimidating manner; questioning why she was writing. Margaret said she told Justice Gableman that these are her personal notes and her working copy of notes. Margaret said she did put her pen down for a moment, but shortly thereafter picked up her pen and continued taking notes. Margaret had her notes, which she had stapled together, and was referring to them as we interviewed her.

The Chief Justice said she wanted to deal with the facts. The Chief Justice said Justice Prosser put his hands around Justice Bradley's neck, and it was Justice Roggensack that needed to pull Ann back.

Justice Roggensack said "we all agree, it's not okay to have physical contact." Justice Bradley said she wasn't going to tolerate what had happened and wanted a commitment from the court that it would not happen again, or she would go elsewhere.

Police Chief Tubbs said that putting hands on someone is unacceptable and it's a very serious incident. Chief Tubbs said as soon as this information gets reported; it's going to get a lot of attention. Chief Tubbs told the Justices they should get this taken care of internally.

Justice Ziegler asked Chief Tubbs if reports had been written on the incident and Chief Tubbs said no. He said no formal complaint had been put in writing. Justice Crooks said there should be no question of safety.

Margaret continued describing her notes and what she recalled of the meeting. Justice Gableman was primarily addressing Chief Tubbs and said, "there is more than one version to the story and that's all I'm going to say about that." Chief Tubbs responded to Justice Gableman by saying, "That's why Margaret is here taking notes."

Justice Prosser said he had made a legitimate request twice in writing regarding the press release and it has been denied twice from the Chief Justice. Justice

Prosser said he has not been able to get cooperation from the Chief Justice or Justice Bradley on the issue. Justice Prosser continued and said he was "about one yard from Justice Bradley's office when Ann rushed at me with her fist in my face." Justice Prosser said, "Yeah, I said that I lost faith in the Chief Justice." Justice Prosser said he had "an instantaneous reaction to what happened" and that he felt he had four options of how to deal with it. At this point, Margaret said she did not write down the four options Justice Prosser was talking about because she was trying to think of different ways to handle it from the Human Resources perspective.

Margaret's notes continued saying that Justice Prosser said two members of the court have made the job unpleasant and "a deliberate scheme of intended abuse". Justice Prosser continued by saying, "I did not move towards her, I did not squeeze her neck and I will testify to that in court." Chief Tubbs told Justice Prosser that his perception is important.

Justice Bradley said, "The issue is a chokehold and hands around my neck in anger."

Justice Ziegler then started talking about what was best for the institution, and the need for all of the Justices to dig deep in how to best serve the court. She also said maybe they need a study committee.

Justice Bradley interrupted and said she was talking about someone who put their hands around her neck. Justice Ziegler continued saying she was talking about the bigger issues.

Justice Roggensack said, "If you are requesting that Justice Prosser get counseling, you both need help."

Justice Bradley responded by saying, "Stop enabling him."

Chief Tubbs said it was clear that from the meeting, that they were not getting anywhere on the issue.

Margaret then stopped looking at her notes, and looked up at Detective Hansen and I, and told us that she very much could feel the tension in the room, and at times had felt uncomfortable with how much tension there was in the room. Margaret said the tension in the room was as high as it was in the Capitol on March 9th during the protests.

Chief Tubbs said that Human Resources needed to come up with a plan. The Chief Justice said that the Justices are not good at regulating themselves. The Chief Justice said, "I had a verbal threat of destruction and I'm worried about the next steps". The Chief Justice told Justice Prosser "If we're not with you, we're against you." Justice Ziegler said, "We shouldn't be enabling, Justice Prosser needs some counseling." Justice Ziegler also said, "Work is a pressure cooker."

Chief Tubbs said he wanted a commitment that there would be no threats or violence in the workplace, and that it would not be tolerated.

Justice Gableman said, "Not all of the facts are out and no judgment should be made."

Justice Ziegler made a comment that maybe Margaret can come up with some ideas and have thoughtful advice.

Justice Roggensack said, "You have our commitment for workplace safety." Justice Ziegler then said, "Safety is fundamental."

The Chief Justice said that there would be denial until the group accepts what happened. Justice Ziegler said, "I said that." Justice Roggensack said, "It is clearly unacceptable." Chief Tubbs again said that he needed the commitment from the court that there would be safety in the workplace. Justice Prosser made a comment that the Chief Justice and Justice Bradley never feel they are part of the problem. Margaret said at this point she began trailing off her notes and the meeting was coming to a closure without any resolution whatsoever.

Margaret said after the meeting, she left and came back to her office and gave a brief overview of the meeting to her supervisor Pam.

Margaret received a telephone call from Justice Bradley at approximately 12:39 p.m. on Wednesday, June 15, 2011. Margaret had saved this voicemail message and she did play it for Detective Hansen and I. The message was from Justice Bradley saying she was just wondering what Margaret's thoughts were of this morning's meeting. Margaret said she did call Justice Bradley back and spoke with her for a few minutes. Margaret said she told Justice Bradley that this incident mirrored domestic violence, and in Margaret's opinion it should be reported to the police. Margaret said Justice Bradley told her that it was a serious issue and things were not coming together. Margaret said she told Justice Bradley to follow the direction of law enforcement and Chief Tubbs, and if that means a restraining order, she should seek one.

Margaret said she also spoke with the Chief Justice after the meeting, later on that Wednesday. Margaret was asked by the Chief Justice if she could put something in writing about how to handle this issue and have it out to the Justices by the following Monday, which would have been Monday, June 20th. Margaret said she wanted to talk to Chief Tubbs about the confidentiality issues that she felt the meeting had and she did not want to blindsides the Justices with some sort of memo in their mailboxes. Margaret said she did address these concerns with her supervisor Pam.

Margaret said she did speak with Chief Tubbs and asked that something be in writing regarding the confidentiality so she knew it was okay to put information together, and Chief Tubbs was not prepared to do that. Margaret said she had another conversation with the Chief Justice saying that she was not ready to write something down because of the confidentiality. Margaret said she ended up drafting an email on Tuesday, June 21, 2011, which she sent to the Chief Justice regarding a workplace violence policy that the Wisconsin Court System employee manual has in it. Margaret said the draft that she wrote up was very bare bones and she told the Chief Justice she took out all of the identifiers, and the Chief Justice said she would take whatever Margaret could give her.

Detective Hansen asked Margaret if we could have a copy of the notes that she had taken regarding all of the things she had documented in this incident. Margaret said she was not comfortable handing over her notes because they are her working notes and she felt as though there was some confidentiality issues. Margaret did allow Detective Hansen to review her notes and ask her any further questions before we left the office. Margaret's notes did not differ from the statement she gave Detective Hansen and I.

Margaret did not talk with anyone other than her boss Pam about the meeting. Margaret said she did talk with Court Marshal Tina after the Wednesday meeting. Tina told Margaret she should take notes about the meeting and her involvement for her own protection.

Margaret did say she had one comment on a side note if she could. Margaret explained that she wanted us to know that in her opinion, it was not uncommon for Justice Bradley to talk with her hands or make a fist when she is talking to someone. Margaret described Justice Bradley as being a very animated person when she is talking. Margaret described some of the other Justices and her interactions with them, they appeared to be very reserved, but Justice Bradley is far from reserved and referred to her as effusive.

Margaret said if you were to ask someone in her office to imitate Justice Bradley, it would be very uncommon if they did not put their fist in the air and talk. Margaret said she has seen Justice Bradley do this before and it's a very nonthreatening gesture and further described it as being an "extension of her expression."

Margaret said she would contact a supervisor from the Department of Justice to see if she would be able to release her notes to us and she would contact us in the future. Detective Hansen and I thanked her for the information and ended our interview at approximately 2:15 p.m.

END OF REPORT.

Detective Sabrina Sims
Dane County Sheriff's Office

dlw Fri Jul 15 09:26:45 CDT 2011

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07/12/11 Detective S. Sims INTERVIEW WITH INGRID A. NELSON

PERSON CONTACTED:

Ingrid A. Nelson
Female white
DOB 06/04/70
Work (608)-266-1885

Judicial assistant for Chief Justice Shirley S. Abrahamson.

INTERVIEW WITH INGRID A. NELSON:

On July 12, 2011, at approximately 10:00 a.m., Detective Peter Hansen and I met with Ingrid Nelson in Chief Justice Shirley S. Abrahamson's chambers in the Wisconsin state capitol. Detective Hansen and I had previously met Ingrid as a result of this investigation. Ingrid verbally identified herself to us. The three of us sat in the Chief Justice's office and we were the only three present during the interview with the door closed.

Ingrid stated she has worked for Chief Justice Abrahamson as her Judicial Assistant since August 2002. Ingrid described that on June 13, 2011, she left work at approximately 5:00 p.m., which would be her normal ending time. Ingrid said there have been times that she stays later, but normally her office hours end about 5:00 p.m.

Ingrid said that on June 14, 2011, she became aware via an email from Justice Bradley that she wanted to address security issues in the workplace at a meeting on June 15, 2011 at 8:30 a.m. Ingrid said she knew there was supposed to be a photo taken before this meeting with all the justices and the law clerks.

Ingrid said that on June 15, 2011, she became aware of the incident that had occurred in Justice Bradley's chambers from the Chief Justice. Ingrid said sometime after the 8:30 am meeting that the Chief Justice returned to her chambers and told Ingrid that the meeting was to talk about the fact that Justice Prosser had put his hands on Justice Bradley's throat. Ingrid said that was all the information the Chief Justice told her and no further details were discussed.

Ingrid stated she does not have any safety concerns at work. Ingrid said she has never felt the need to lock her door to her office for her own safety. Ingrid said during the time of Justice Prosser's recent campaign, she does recall the Chief Justice expressing concern over staying at work late when Justice Prosser was still in the building. Ingrid said the Chief Justice told her she would close her office doors and lock them when she works after business hours.

Ingrid said the Chief Justice has also mentioned that Capitol Police have offered to walk her to her car when she stays late at night, but she declines and doesn't think it is necessary.

Detective Hansen and I thanked Ingrid for the information and ended our contact with her at approximately 10:20 a.m.

END OF REPORT

Detective Sabrina Sims
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:28:26 CDT 2011

08/23/11

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Supplement

07/12/11 Detective P. Hansen SECOND CONTACT WITH JUSTICE ANN WALSH-BRADLEY

CONTACT WITH JUSTICE BRADLEY:

On Tuesday, July 12, 2011, at approximately 9:00 a.m., Detective Sabrina Sims and myself again met with Justice Bradley at her office in the state capitol building. We had previously set up this appointment to ask Justice Bradley follow up questions we had in regards to the incident from June 13, 2011.

When we met with Justice Bradley, the first question we had was if she was right or left handed. Justice Bradley stated to me today, and during a phone call last week when I spoke with her to set up this meeting, that she is right handed. We also asked Justice Bradley how long the meeting, from June 15, 2011, lasted. Justice Bradley stated to the best of her recollection, she believed it was approximately 1 hour and 10 minutes in length. Justice Bradley talked about how the meeting began at 8:30 in the morning and she recalls how Chief Tubbs had to leave at 9:00 a.m. for a meeting with the DA's office. Justice Bradley remembers Chief Tubbs getting a phone call during the meeting and again stated, to the best of her recollection, the meeting lasted approximately 1 hour and 10 minutes in length.

We then asked Justice Bradley if she recalled anything being in her hands as she was approaching Justice Prosser. Justice Bradley said she did not believe she had anything in her hands at the time. Justice Bradley had a pair of blue and green glasses on her desk. I told Justice Bradley that I believe she originally told us she had been looking at her computer for an email just prior to her approaching Justice Prosser on that evening. I asked Justice Bradley if she needed her glasses while she is on the computer. Justice Bradley stated she does use her glasses while she is on the computer. Justice Bradley stated she did not believe she had them in her hand as she was approaching Justice Prosser. Justice Bradley then stated her glasses are usually in one of three places. One of these places being on her desk as they were during our contact with her, in an open fashion, the second was on her nose, and the third was on top of her head. Justice Bradley said she knows for sure that her glasses were not in her left hand during the incident on June 13 because she was pointing towards the door with her left hand.

We then discussed again how she had approached Justice Prosser on June 13. Justice Bradley said as she was walking towards Justice Prosser, her left hand was up with her index finger pointing towards the outer door of her chambers and her other three fingers were curled up. We asked her how certain she was that she used her left hand to point towards the door. Justice Bradley said she knows with 100 percent certainty that she used her left hand to point towards the door. Justice Bradley said she knows she would not have used her right hand to point because it would have been awkward to reach across her body to point toward the door. Justice Bradley also stated she knows her hand never came in between Justice Prosser's and her face when she approached him. Justice Bradley stated it made more sense for her to use her left hand to point to the left when she told Justice Prosser to leave her office. Justice Bradley stated she got face to face with Justice Prosser and recalls definitely pointing towards the door asking him to leave. Justice Bradley said she had once been a schoolteacher and used her hands as pointers on many occasions.

We then asked Justice Bradley if she recalled an incident from September 2008 in which Justice Gableman may have made a comment to Chief Justice Abrahamson in which he called her Shirley instead of Chief Justice. We asked if she remembered telling him that he was being disrespectful by not calling her Chief Justice. Justice Bradley said she did not remember any comment by Justice Gableman as being disrespectful, and she did not recall ever responding to or addressing any disrespectful comment made by Justice Gableman. When we addressed this with Justice Bradley she began to tear up, shook her head and said she could not believe what other people were saying. Justice Bradley said she has "never touched another justice in anger." Justice Bradley said she has touched other justices in the past in gest, but added that if somebody claimed that she had ever touched another justice in anger, she said "absolutely not." Justice Bradley said she has never approached any other justice in a manner that she did

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with Justice Prosser on June 13, 2011.

Justice Bradley then told us about an incident from approximately four years ago. All of the justices were in conference and Justice Prosser had been in a tantrum, so she grabbed all of her stuff and left the conference room. Justice Bradley said as she was walking down the hall towards her office, Justice Prosser opened the door and screamed at her to get back to the conference room. Justice Bradley said he did not just politely ask for her to come back, she said he had screamed this so that she believed everyone in the Supreme Court chambers would have probably heard him. Justice Bradley said she came back to her office and said she could not believe that she had walked out on a conference because they were in the middle of discussing a vote and she was one of the seven votes.

Justice Bradley said she just could not be in the same room as Justice Prosser as he was going into one of his tantrums. Justice Bradley said she remembers the justices taking a break for a few minutes, and then she went back into the conference room after the break. Justice Bradley said when she got back into the conference room she told Justice Prosser that she did not ever want him to yell at her again because she would not put up with it.

Justice Bradley said as she was approaching Justice Prosser on June 13, "I was in control, I knew exactly what I was doing." Justice Bradley said when she approached Justice Prosser, she said to him, "Buddy, get out of my office." Justice Bradley said she remembers specifically saying the word "buddy" to him as she was telling him to leave her office. Justice Bradley recalled this because as she was talking to her daughter about this incident after the fact, her daughter had mentioned how the only other time she heard her use the term "buddy" was three years ago when her daughter and her were in Bangkok, Thailand, in a taxicab. Justice Bradley said the taxicab driver was not taking them where they needed to go so she felt she needed to take control and she remembers saying, "Buddy, you take us back where you picked us up." Justice Bradley said that was the only other time she could remember using the term "buddy". Justice Bradley said, "Buddy puts me in control and them in the diminutive." Justice Bradley again said she knew exactly what she was doing and saying to Justice Prosser on the evening of June 13, and added, "I intended to do it just the way I did it." Justice Bradley repeated several different times during our conversation with her that she was in control on June 13, 2011 and she knew exactly what she was doing the whole time.

Justice Bradley then said, "This aggressiveness they are trying to spin is not true." This comment was made in response to the questions we had asked her in regards to the Justice Gableman incident, as well as other stories that she said she had been hearing about how this incident took place. Justice Bradley said she has never approached anyone with a fist. Justice Bradley stated that she uses her hands to talk continuously and it is not uncommon for her to point or use her hands as she is talking to someone, and she has been doing that since she was a schoolteacher.

Justice Bradley said this incident is nothing political, this whole incident is about workplace safety. Justice Bradley broke down crying again and said that currently she has the police on speed dial while they are in conference because she is in fear for her safety. I asked Justice Bradley if that is in reference to her personal safety in general or if it was her safety from a specific person. Justice Bradley said her safety issues are directly in regards to Justice Prosser. Justice Bradley also added that there were wonderful things to say about Justice Prosser, and added, "but he needs help."

Justice Bradley broke down crying several times while speaking to her about this incident. It was clear Justice Bradley was disturbed by this incident from June 13, 2011, and she was also disturbed about the different things people were saying about her, and what was being said about this incident. Justice Bradley had to excuse herself at one point because she had broke down crying. Justice Bradley said for someone to say that she had raised a fist to somebody would be completely out of character for her. Justice Bradley said her pointing towards the door while approaching Justice Prosser was in character for her.

We asked Justice Bradley if we could have her physical description and she stated she was 5'3" and 131 lbs. Our contact with Justice Bradley ended at approximately 9:40 a.m. on today's date.

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PHONE CALLS:

On this same date, at approximately 10:25am I received a phone call from Justice Bradley. She said she thought about whether or not she had her glasses in her hand and concluded, "I just don't know if I had my glasses in my hand, I just don't recall". She also said she could not tell me exactly where her right hand was during this incident, and added, "I just know what it wasn't doing, it wasn't in his face".

On July 13, 2011, at approximately 10:40am I received another call from Justice Bradley. Justice Bradley said she had been thinking about the September 2008 incident we had asked her about. She said she had been thinking about anything she has done that may have been seen as an aggressive act. She referred to the email she gave us dated 02/18/10 at 8:54am in which she addresses Justice Prosser's behavior and says that she is no longer willing to tolerate his abusive behavior. See the email for further details. Justice Bradley said this might have been one form of aggression on her part.

Justice Bradley said she has told us that she has dealt with Justice Prosser in different ways when trying to get him to calm down. She said she will sometimes talk to him sternly, sometimes quietly, sometimes she will leave the room, and one time she recalled mimicking him. Justice Bradley could not remember when it happened, but estimated sometime between three and five years ago. She said the justices were in the conference room and Justice Prosser began pounding on the table as he was talking. Justice Bradley said she then began to pound on the table as a way to try to get him to "snap out of it and come back to his senses". Justice Bradley said after she pounded on the table Justice Roggensack said, "You two settle down". After this she realized that she may not have taken the right approach by pounding on the table". Justice Bradley said this was one example of what may have been interpreted as an aggressive act, otherwise there was nothing else she could think of.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:29:18 CDT 2011

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Supplement

07/08/11 Detective P. Hansen INTERVIEW WITH JUSTICE DAVID PROSSER

PERSON CONTACTED:

Justice David T. Prosser Jr.
Male white
DOB 12/24/42
Height: 5'9"
Weight: 165 lbs
Work: (608) 266-1882

Wisconsin Supreme Court Justice.

INCIDENT INFORMATION:

On July 8, 2011, at approximately 11:00 a.m., Detective Sabrina Sims and myself met with Justice David Prosser at Stephen Meyer's law office located at 10 east Doty Street. Stephen Meyer is Justice Prosser's attorney. When Detective Sims and myself arrived Stephen Meyer, Justice Prosser, and Stephen Watson, an investigator for Stephen Meyer, greeted us. Everyone listed above was present during our contact with Justice Prosser. We spoke in a conference room down the hall from Stephen Meyer's law office. The entire contact with Justice Prosser was audio recorded, and this was made known to all parties without disagreement.

We informed Justice Prosser we were there to speak to him in regards to the incident from June 13, 2011 at approximately 6:00 p.m. while in Justice Ann Bradley's chambers at the State Capitol building. Justice Prosser asked if we had a map or diagram of the chambers and we informed him that we had been in the chambers and we did have a schematic that was drawn up. Justice Prosser then took out a blueprint version of the Supreme Court chambers, which was on an 8 1/2 x 11-inch piece of paper. Justice Prosser explained where everyone was using this blueprint. Justice Prosser began by explaining the layout of Justice Bradley's office and his location when he entered Justice Bradley's chambers. Justice Prosser stated he believes he was a minimum of 3 feet from the threshold of the door which leads from Justice Bradley's assistant's office into Justice Bradley's office. Justice Prosser stated he was in the assistant's office the entire time and never crossed Justice Bradley's threshold to go into her office.

Justice Prosser specifically said he laid out a yard stick on the ground and estimated that he was approximately one yard if not a little bit further from the threshold. Justice Prosser said when Justice Bradley, "screamed at me saying 'Get out of my office'", there was something blocking him from going in certain directions, so he believed it may have been just over three feet from the threshold.

Justice Prosser said Justice Mike Gableman was off to his right, Justice Roggensack was off to his right as well, but in front of Justice Gableman, and he could not recall exactly where Justice Ziegler was. He said Justice Ziegler had told him later that she was standing in front of him closer to the threshold of the door.

Justice Prosser said Chief Justice Abrahamson had been sitting in a chair in front of Justice Bradley's desk and Justice Bradley was sitting behind her desk in her chair. When Justices Prosser, Roggensack, Gableman, and Ziegler came into the chambers, Chief Justice Abrahamson stood up from the chair and came over to the threshold area of the doorway between Justice Bradley's office and her assistant's office. Justice Prosser said from where he was standing, he had a clear view of the entire desk of Justice Bradley, Justice Bradley herself, as well as the Chief Justice, except for the time she had walked toward the window in Justice Bradley's office.

Justice Prosser also mentioned a credenza, a rotating bookshelf that was behind him, that he feels he may have been backed up to. Justice Prosser said he could not recall exactly how much space was between him and the bookshelf, but recalled it being behind him and next to Justice Bradley's assistant's desk. Justice Prosser said he had measured his own assistant's desk, which was approximately 70 inches wide, and he said the bookshelf was at the end of the

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desk. Justice Prosser assumed that Justice Bradley's assistant's desk was approximately the same size as his assistant's. Justice Prosser also said if the credenza in Justice Bradley's chambers was the same as what he had, then it would have measured 28 inches square. Justice Prosser said Justice Bradley had never come across the threshold "until she charged me."

We asked Justice Prosser how he came to be in Justice Bradley's chambers and why he was there. Justice Prosser then went on to talk about some historical information, which went back to March 2011. Justice Prosser discussed how a writ request was filed in March 2011 and the court had it on the calendar to discuss on April 12, 2011. Justice Prosser said April 12 came and went and the writ request was never discussed. Justice Prosser said the writ request was discussed later in the month and the Chief Justice decided they could not take the case. Oral arguments were ultimately scheduled for June 6, 2011. Justice Prosser said collectively the court had decided that on June 1, they as a group would decide if they were going to take the case. The Chief Justice never had decided on June 1, according to Justice Prosser, so on June 6, they still did not know if they were going to take the case. Justice Prosser said on June 6, they listened to approximately five hours of arguments on the case, which he said was uncommon to listen to that many arguments. Justice Prosser said four people on the court wanted to take the case, and three did not want to decide because they wanted to hear more arguments. Justice Prosser said Justice Roggensack said she was going to prepare the order, which was going to state that the Supreme Court was going to vacate the decision of the circuit court. Justice Prosser said there was disagreement on the court about whether or not anything was published already. Justice Prosser did not believe the subject of this had been published, and the dissenters agreed with him. Justice Roggensack wanted an order, and Justice Prosser felt it should be considered higher than an order, and the decision of the court should be fully explained.

Justice Prosser said there was disagreement within the majority, but a draft order had been circulated by Justice Roggensack and was distributed to the entire court by Friday, June 10, 2011, and dated June 13, 2011. Justice Prosser said on the draft order, it stated that "opinions may follow," and it listed the names of the majority and those that were dissenting. The Chief Justice told the court no order would go out of the court until everyone finished writing any opinions on this decision, which Justice Prosser believed to be a reasonable request. Justice Prosser said they all agreed that they would spend the weekend writing any opinions and responding to the draft order. Justice Prosser said during their meeting on June 10 he felt more needed to be said on the order. Justice Prosser said he did write an opinion on that weekend and said that he was at a disadvantage because he did not have a law clerk to assist him over the weekend, because [REDACTED] Justice Prosser said there was an "absolutely clear understanding" that the decision by the court would go out by Monday, June 13, 2011. Justice Prosser said, completely separate from this, the speaker of the assembly, Jeff Fitzgerald, put the court in an awkward position by saying they needed to have a decision by June 14, 2011; otherwise they would have to vote all over again. Justice Prosser said there was a commitment by everyone on the court that the decision would go out on the 13th. Justice Prosser said he wrote over the weekend, and on the morning of June 13, 2011, the Chief Justice had presented her argument of dissent, and then shortly after that he released his concurrence to everyone. Justice Prosser said once he released his concurrence, the "dissenters", meaning the Chief Justice and Justices Bradley and Crooks were in "total shock" that he wrote a concurrence and they all stated that they needed time to respond to his concurrence. Justice Prosser said they had the rest of the afternoon on June 13 to respond and he recalled the Chief Justice was in her "working office" working on a response.

Justice Prosser said his colleagues (on the majority) began to get antsy and there were emails sent out demanding that the order be released that day. Justice Prosser said nothing goes to the clerk's office unless it goes through the Chief Justice. Justice Prosser said throughout the afternoon, nothing was happening and no decisions had been released. Justice Prosser said Justice Gableman sent out an email to all asking that they release the order after 5:00 p.m. on June 13, 2011. Justice Prosser said the Chief Justice sent out an email, which he described as a "bright lighthearted email" stating that she has finished working on her opinion, and that she was going to give the draft to

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Justices Bradley and Crooks, and that she was going to wait for any feedback from them. The Chief Justice stated in her email that she would have feedback later on that evening or very early the following morning and then she would circulate a draft to everyone else after that. Justice Prosser gave us a copy of this email, which was dated June 13, 2011, at 5:39 p.m. from Chief Justice Shirley Abrahamson. Justice Prosser also gave us his response to the Chief Justice, which was also dated June 13, 2011, at 5:46 p.m. The email is from the email of Denise Croake, who Justice Prosser stated was his assistant. Justice Prosser said he dictated to Denise what to say in an email. The email states as follows per Justice Prosser: "Chief, thank you for your email message on the state of your concurrence/dissent. I wonder if we couldn't put out a notice this evening, through Tom Sheehan, that the court will issue an opinion tomorrow. This would be in line with Amanda's request last week. Thank you. Dave." A copy of these emails has been attached to this case number. Justice Prosser clarified that Amanda was a public information officer and she had requested the previous week that they be given notice prior to releasing any decisions.

Justice Prosser said he was getting pressure from three people (Justices Ziegler, Roggensack, and Gableman) who wanted him to join them and release the order "irrespective" what the Chief Justice said. Justice Prosser said essentially they wanted to march over to the clerk's office and order the clerk to issue the order. Justice Prosser said during a meeting with Justices Roggensack, Ziegler and Gableman, in Justice Roggensack's office, they all discussed this and he told them he would not go over to the clerk's office because he did not like to do that. Justice Prosser told them he had sent the email to the Chief Justice. Justice Prosser also stated he had spoken with Justice Crooks who told him he did not have a problem with sending out a notice that night saying a decision would be sent out by the court the following day. Justice Prosser said he told them he would go talk to the Chief Justice to see if he can persuade her to release a notice.

Justice Prosser said he left Justice Roggensack's office to go find the Chief Justice. Justice Prosser said earlier in our interview that he feels like he is the "self appointed spokesperson for this group". Justice Prosser said when he left Justice Roggensack's office, "Thank god the other three followed me, thank god they did." Justice Prosser said the four of them originally went to the Chief Justice's office, discovered she was not there, and then proceeded to Justice Bradley's office where Justice Bradley and the Chief Justice were located. They were standing in the positions as previously discussed. Justice Prosser said he did not recall anyone else in his group saying anything, other than Justice Roggensack who mentioned something when the "dissenters" were commenting about how they were unaware he was writing an opinion.

Justice Prosser said earlier in the afternoon he went to speak with Tom Sheehan to let him know that they would probably be releasing some sort of notice. When they came in to Justice Bradley's chambers the Chief Justice stood up immediately, came out of the office a little ways, and said, "We're working on it", and he added she already said they were putting this off until the 14th. Justice Prosser said he asked the Chief Justice if she saw his email, and asked if they could put out a notice saying the court would put out their decision tomorrow. Justice Prosser said the Chief Justice told them she did not see the email, the staff had gone home and the clerk's office was closed and Tom Sheehan had also gone home. Tom Sheehan is a public information officer. Justice Prosser said he told her that they could still get to Tom and have him put something out, because they don't always have to work from their desk. Justice Prosser said he described this conversation with the Chief Justice as "not hostile, just a conversation." Justice Prosser said he also brought up Amanda Todd, another public information officer, because he knows that the Chief Justice and Amanda are good friends and he thought that if she wasn't going to do it for him, that maybe she would try to appease Amanda. Justice Prosser said he knew the news media was interested in this case. Justice Prosser said the content of his conversation with the Chief Justice during this time is them discussing whether or not a notice should be sent out regarding when the order was coming out. Justice Prosser said the Chief Justice was absolutely resistive to this.

Justice Prosser said the Chief Justice then had "a change of focus." Justice

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Prosser said the Chief Justice told them they haven't agreed on a dissent yet. Justice Prosser said at that time Justice Bradley had got up from her desk and walked towards the door. (There was then discussion on where everyone was located at that exact time. Justice Prosser said the Chief Justice and Justice Bradley were in Justice Bradley's office, just on the other side of the threshold leading to the assistant's office, and Justice Prosser had not moved from where he originally stood when he initially came into Justice Bradley's chambers). Justice Prosser said Justice Bradley then told him that he had deceived the dissent because they did not know he was writing. Justice Prosser described this as "preposterous". Justice Roggensack spoke up and said it was on the order that opinions may follow. Justice Prosser referred to himself as the logical person to write an opinion, but he was not sure he was able to because his law clerk was gone. Justice Prosser said he wrote throughout the weekend.

Justice Prosser said Justice Bradley made the comment, "I've been working all weekend and I never knew you were writing", and she also mentioned how he did not get his concurrence in until around noon. Justice Prosser said he then mentioned how he did not have a law clerk this past weekend because [REDACTED]. Justice Prosser said both the Chief Justice and Justice Bradley handled that situation well, and both apologized for his law clerk's [REDACTED]. Justice Prosser said he was still trying to get the Chief Justice to send out a notice, and the Chief Justice responded by telling him, "No, absolutely not, we're not going to do that, I may not be done until Wednesday". Justice Prosser said he has seen these tactics before.

Justice Prosser said he told the Chief Justice "with a lot of control" that, "Chief Justice, I have lost confidence in your ability to lead this court." Justice Prosser mentioned several times that he was saying this in a controlled voice. Justice Prosser said "there was a little elevated voice when they were accusing me of deceiving them by not letting them know I was writing a concurrence." Justice Prosser said the Chief Justice rarely raises her voice, but she told him that she was absolutely not going to release any notice. Justice Prosser said he was looking at the Chief Justice as he was saying he lost confidence in her leadership. Justice Prosser said immediately after he made this comment to the Chief Justice that Justice Bradley "charged me." Justice Prosser also described it as, "she exploded out of that room." Justice Prosser said prior to charging him, he said he believes that she was approximately two feet from the threshold of the doorway, inside of her office. Justice Prosser said she had gone approximately five feet total to get from where she was to him. Justice Prosser said he did not believe he moved an inch, he knew he never moved towards her, but he does not recall if he moved back at all. Justice Prosser said he could not initially exit because of the credenza behind him.

Justice Prosser said as he was telling the Chief Justice that he has lost confidence in her leadership his forearms were parallel to the ground with his hands and fingers extended out. Justice Prosser said he talks with his hands generally. Justice Prosser said again that Justice Bradley had "charged at me, it's simple as that" and she came out of her office towards him. Justice Prosser said he has heard some stories that she walked towards him and he said, "No, she charged at me". When she got near him, he said her right fist was in his face. Justice Prosser said as he was approached by Justice Bradley he believes that his hands came up slightly as he leaned backward, "It's as simple as that". Justice Prosser then said, "Did my hands touch her neck, yes, I admit that. Did I try to touch her neck, no, absolutely not, it was a total reflex".

We then began to describe the location of Justice Bradley and her hands as she approached Justice Prosser. Justice Prosser estimated Justice Bradley's right fist was less than six inches from the left side of his face, and it was agreed upon based on his description, that her right fist was at approximately a 45-degree angle from the front of his face. Justice Prosser said she did not have an open palm, it was definitely a fist. Justice Prosser did not recall anything to his right and said he did not remember where her left hand was. Justice Prosser said he had no recollection as to where her left hand was at this time. Justice Prosser said Justice Bradley's face was approximately one foot from his face. He added that he saw her expression, which was "pure fury

on her face."

I asked Justice Prosser what she was saying to him at this point, if anything. Justice Prosser said, "Well I know what she wasn't saying, at no point that I recollect did she say 'get out of my office'". He said she said this after the incident, but at no point before this physical touching did she say, "Get out of my office". Justice Prosser said she was screaming something, and when his hands came in contact with her neck, he does not remember her saying anything about choking her, he remembers her saying, "Don't you ever put your hands on me".

We discussed the location of Justice Bradley's face and fist again at this point. Justice Prosser and I stood facing each other and we came up with the description as listed above as to the location of Justice Bradley's face and fist. Justice Prosser also mentioned my smile and said, "She did not have a smile, this was pure anger". Justice Prosser said Justice Bradley's fist was clenched and he could not remember if she was moving her fist in any manner. He did say she never hit him. Justice Prosser said he does not know how she did not run into him. Justice Prosser could not remember when she raised her fist because it happened so fast. He said, "I remember the finish line, not how we got there". While asking Justice Prosser to describe how Justice Bradley approached him, he said the best word to describe that was that she "charged" at him. He knows she was definitely not walking towards him. He also said he could not recall how she got to him "frame by frame".

Justice Prosser said he is 5'9" and he believed she was a couple inches shorter than himself. Justice Prosser said he recalled that he was looking up at her fist, but he thought that her fist might have been higher so that he would have had to look up at it. Justice Prosser said he felt he was looking up, possibly because he was leaning back, but he did not have to look up to see her eyes.

We asked Justice Prosser if prior to this Justice Bradley had ever asked him to leave her office for any reason, or if she or anyone else ever addressed the tone that was being used during the conversation. Justice Prosser said he does not recall Justice Bradley ever addressing his tone or anyone else's, nor does he recall her asking him to leave prior to this. He then added that she was not even involved in the conversation. Justice Prosser said the only time Justice Bradley said anything during his conversation with the Chief Justice was when she mentioned how she felt he had deceived them, them working all weekend, and her response to his law clerk.

Justice Prosser said he did not say anything to Justice Bradley and I asked him his opinion on why he thought Justice Bradley would have "charged" at him after his comment to the Chief Justice. Justice Prosser described the Chief Justice and Justice Bradley as being a mother/daughter relationship; they are constantly together, and soul mates. Justice Prosser said he feels Justice Bradley is "extremely loyal to, devoted to, and protective of the Chief Justice".

Justice Prosser had no recollection of what he thought during this because it happened so fast. Justice Prosser said when his hands came in contact with Justice Bradley's neck, his thought was immediately, "Oh my god, I'm touching her neck." It was immediately after this that Justice Bradley said "don't you ever put your hands on me." Justice Prosser said he does not remember her saying anything about him choking her. Justice Prosser said he was stunned by what happened.

We asked Justice Prosser to describe how his hands came to touch her neck. Justice Prosser said while he was making the comment to the Chief Justice about having lost confidence in her leadership, his upper arms were down and parallel to his body, but his elbows were bent at a 90 degree angle so that his forearms were parallel to the ground and his hands were partially extended outwards. Justice Prosser said he told this same story to Chief Tubbs and Margaret Brady. Justice Prosser said he remembers Chief Tubbs saying, in the workplace a man should not put their hands on a woman. Justice Prosser said he agreed with that, except when suddenly if you don't have the opportunity to think about it and you're reacting, and that's what happened to me. Justice Prosser then started to talk about how the media was reporting this incident, and I stopped him and told him we were not interested in what the media was saying. Justice

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Prosser was upset about what was being reported, and described one story's account as a lie. Justice Prosser raised his voice slightly and indicated this is what was going out to the entire world.

I described to Justice Prosser what I believed he was telling us as to where his hands were during this incident and asked him to correct anything if I was wrong. I described how his upper body leaned backwards and his hands followed the motion of his upper body so he had maintained that 90-degree angle in his elbows as he was leaning back. Justice Prosser said it was as he was leaning back, with his hands still extended, that he had made contact with Justice Bradley's neck. Justice Prosser said he believed his hands had open palms and were facing Justice Bradley. Justice Prosser described what he did as a "blocking move" because of how Justice Bradley was coming at him. Justice Prosser said, "I remember feeling her neck." Justice Prosser went on to say that he remembers the warmth on the side of Justice Bradley's neck in his hands as his hands were touching her neck. Justice Prosser said he never squeezed Justice Bradley's neck at any point, and said that his hands were definitely on Justice Bradley's neck versus her shoulders. Justice Prosser said it was a "total reaction to what was happening." We asked Justice Prosser if he recalled what fingers may have touched Justice Bradley's neck, and how they were touching Justice Bradley's neck. Justice Prosser said he could not recall the exact location of his fingers, and he could not recall how many fingers were touching Justice Bradley's neck either during this time. He said he could only recall the warmth in Justice Bradley's neck. Justice Prosser said several times during our contact that this whole incident lasted "a split second". This included the time from Justice Bradley "charging" at him, his reaction with his hands on her neck, to him removing his hands from her neck. Justice Prosser said he had no recollection of his thumbs on Justice Bradley's neck at any point. Justice Prosser could only recall his fingers touching the side of her neck, with one hand on either side of her neck. Justice Prosser said at no point did he squeeze or apply any pressure.

Justice Prosser said, "What does any self respecting man do when suddenly that man finds that his hands, or part of his hands are on a woman's neck? Get them off the neck as soon as possible". Justice Prosser said this was a "reflexive move". He said he was not hitting her or anything else. Justice Prosser said he did not say anything to Justice Bradley during this time and he does not recall her saying anything to him at this time either. Justice Prosser said he only recalls Justice Bradley saying, "don't you ever put your hands on me", and then telling him to get out of her office. Justice Prosser said Justice Bradley either stepped back, or somebody had pulled her back, but he did not know who would have pulled her back. Justice Prosser said he believed he went limp after he took his hands away from Justice Bradley's neck. Justice Prosser said he did not believe Justice Bradley was angry or upset prior to the time that she "charged me," but when she was telling him "don't you ever put your hands on me" and "get out of my office" she was screaming at him. Justice Prosser said the majority of his conversation, with the exception of Justice Bradley telling him that he deceived them by writing an opinion, had been with the Chief Justice.

Justice Prosser said he does not recall anyone else saying or doing anything during this time. Justice Prosser said he has heard what other people may have said, but he does not recall specifically anything being said as it was happening. Justice Prosser said his thought was that he just wanted to get out of Justice Bradley's chambers as quickly as possible. Justice Prosser said he had the credenza, immediately behind him, and Justice Gableman was off to his right, so he only had a small area in which to leave Justice Bradley's assistant's office. Justice Prosser said at no point did he move forward. Justice Prosser said he believed Justice Gableman left with him, but he did not know what had happened in the chamber after he left.

I asked Justice Prosser if he felt he had any options at the time this was happening. He said this incident happened too quickly to determine any other options. Justice Prosser then mentioned how he had been talking in the meeting on June 15th with all the justices, Capitol Police Chief Charles Tubbs, and Margaret Brady, and how he had mentioned that he felt he had four options. The options he felt he had were to have pushed the head, the neck, the shoulders or do nothing. He described these as being intellectual options. We asked Justice Prosser if he felt he had any time to make a decision on what option to choose,

or if he felt there was time to react differently than what he did. Justice Prosser again said everything happened within a "split second" and he felt he did not have any time to think about any other options. Justice Prosser said, "It's simply a reflexive reaction to suddenly being assaulted".

Justice Prosser said he has never seen Justice Bradley charge at anyone else, but was aware that she has charged other people. We asked Justice Prosser if he ever directly witnessed Justice Bradley charging at anybody else and he stated he had not. We did not pursue anything that he had heard from other people.

We asked Justice Prosser if he had a chance to evaluate this incident in a "fight or flight" scenario. Justice Prosser said this happened too quickly. He continued saying that at times a person can evaluate risk, and sometimes you evaluate incorrectly. Justice Prosser said he was not afraid for his own safety. Justice Prosser said he did not think about it, it was a "pure reaction" and he was surprised that it even happened. Justice Prosser also said that he could not say if he feared that she was going to hit him because it had happened so fast that he did not have time to think about it.

We also asked Justice Prosser if he had any intentions when he raised his hands, and touched Justice Bradley's neck. Justice Prosser said he did not have any intentions during this time. Justice Prosser said from the time that she charged at him to the time that he left her chambers, was approximately five seconds. Again, Justice Prosser talked about how everything happened very quickly.

Justice Prosser described Justice Bradley as being very angry at the time she charged at him. He said her eyes were squinting, but did not remember any other descriptors because it happened so quickly. Justice Prosser said he could not tell me what was in Justice Bradley's mind as she was approaching him and added that he knows Justice Bradley does not like him. I asked Justice Prosser if he felt Justice Bradley may have had a protective instinct for the Chief Justice and he said there might have been something to that. Justice Prosser said there might be some sort of "control" that the Chief Justice has over Justice Bradley.

We also asked Justice Prosser if he felt his reaction to Justice Bradley charging him was reasonable and he stated, "Absolutely".

We asked Justice Prosser if he has talked to anybody else about this, and he said he has not talked to the media directly, but he has talked to his family, other justices, his attorney and his investigator. Justice Prosser said he wants people to know that he does not have to change his story.

Justice Prosser said when he left, Justice Gableman had left with him. He recalls Justice Gableman telling him that Justice Bradley said that he choked her. Justice Prosser said Justice Gableman told him he did not choke her. Justice Prosser said he does not recall this comment made by Justice Bradley. He said he does remember, while in conference, Justice Roggensack saying, while responding to Justice Bradley, "He didn't choke you". He also remembered Justice Bradley responding to her saying, "But he would have if you hadn't pulled him away, or something like that." Stephen Meyer then tried to clarify with Justice Prosser what Justice Bradley said exactly in response to Justice Roggensack. Justice Prosser said he did not recall exact phrasing used, but he does recall Justice Bradley using the phrase, "He would have. . . ." Justice Prosser said as far as he knew, Justice Bradley has never said she was in pain, or said there was pressure, or anything like that. Justice Prosser said we couldn't ignore that those statements were not made.

Justice Prosser said he did not take any notes after this incident and did not write any notes down until his attorney, Stephen Meyer, directed him to the previous evening on July 7, 2011. Justice Prosser did give us a copy of his notes, which are attached to this case number as well.

When Justice Prosser left Justice Bradley's chambers, he and Justice Gableman went back to his office, and talked about the incident briefly. Justice Prosser believed they may have talked for about five minutes, but does not recall what was said, other than what he has already told us. Justice Prosser said he did

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not talk to his staff about the incident and went home shortly after this. Justice Prosser said he believes he did nothing wrong, and was simply reacting to someone who charged him, and again said it happened in a split second. Justice Prosser said when there is a charge made by a woman that a man choked you, and you leak it out to the press all over the world, and that man is on the WI Supreme Court, "You are doing absolute maximum damage to a public figure that you can do". Justice Prosser said he did not feel Justice Bradley was telling the truth because if she were, then she would have to say how she charged at him.

Justice Prosser said on Tuesday, June 14, 2011, there was an email sent out about workplace security and it stated that there was going to be a meeting the following day and Chief Tubbs was invited to this meeting. Justice Prosser said the meeting began on June 15th at approximately 8:30 a.m. Justice Prosser drew a diagram of the conference room, and indicated where all of them were sitting during this conference. Justice Prosser gave me this diagram and a copy of has been attached to this case number. I added on the diagram, after our interview, the names of Chief Tubbs and Margaret Brady and the date on which I had received this, and from whom. Justice Prosser made a comment about Margaret Brady being in this meeting. He stated that he believes the Chief Justice uses Margaret as "a prop", and she invites her to meetings when she wants to try to intimidate employees, no matter who the employees are.

Justice Prosser recalls Chief Tubbs telling them that he was not going to take notes, nor was he going to do a report on this, because if he did it would become a matter of public record. He recalls Chief Tubbs telling all of them that he was there to mediate this situation.

Justice Prosser said he recalls Justice Bradley saying that he had his hands on her neck, and he also recalled her mentioning several times how her husband Mark wanted her to get a restraining order against him. Justice Prosser also mentioned that Justice Bradley requested he receive anger management counseling.

Justice Prosser said he recalled Justice Roggensack saying that if Justice Prosser needed anger management counseling, then Justice Bradley also did. Justice Prosser said he believes there were several people who did not say anything during this meeting, and others who did. Justice Prosser said during the meeting he gave a brief statement of what had happened from June 13, and how Justice Bradley "charged me." Justice Prosser said he recalls Chief Tubbs telling them that in a workplace a man can never put his hands on a woman. Justice Prosser said he agrees with that statement.

Justice Prosser also mentioned two points that disturbed him regarding the meeting from June 15, and described them as a "falsity of events." Justice Prosser mentioned how Justice Bradley mentioned the restraining order, but then she added that her law clerk was afraid to go to work at night because of him. Justice Prosser said he feels that he has a good relationship with all of the law clerks, and he was concerned that she is trying to set this up and portray him as a monster, and show that he is entirely responsible for what happened. Justice Prosser said a function was served by this meeting because Justice Bradley was able to hear his version of the events. He said after he was able to give his version, she said, "I asked him to leave my office, whereupon he goes and grabs my neck". Justice Prosser said, "That's not the way it happened."

I asked Justice Prosser if his description to the rest of the court, as well as Chief Tubbs and Margaret Brady, was different than what he was telling us at this time. Justice Prosser said the only difference was that he was more brief with his description during the meeting on June 15. Justice Prosser again mentioned the four options he felt that he had and described them as an "intellectual analysis of the incident".

We asked Justice Prosser if anyone in the meeting ever used the term chokehold to describe what had happened. Justice Prosser said he does not recall the term chokehold other than Justice Roggensack making the comment, "You were not choked", and Justice Bradley's response of, "But I would have been if you had not intervened", or something to that effect. Justice Prosser said he is the suspect in this incident, and Chief Tubbs also heard his account of the incident during this meeting. He did not recall anyone giving a verbal response to his statement.

Justice Prosser said there was sort of a verbal response from the Chief Justice at the end of the meeting. He said the Chief Justice did two things that he felt were reprehensible. The Chief Justice walked towards Chief Tubbs and described what had happened on June 13. Justice Prosser said he thought, "Oh my god, that's nothing like what happened". Justice Prosser said the second thing the Chief Justice mentioned was how he had been on the court for 15 years, when it has only been 13 years. He said the Chief Justice talked about how he was becoming more and more unstable, how he thinks everyone is against him, and just basically paranoid.

Justice Prosser believed the entire meeting on June 15 lasted approximately 45 minutes total. Justice Prosser said he recalls Chief Tubbs getting a call and him having to go, and Chief Tubbs telling them several times that he was not making any record of the meeting and there were no reports.

Justice Prosser said we should talk to Justice Bradley's law clerk, Rachel Graham, and ask her directly if she is afraid to work at night because of him. Justice Prosser said if Rachel tells us that she is not afraid to work at night because of Justice Prosser; then Justice Bradley is lying. Justice Prosser said he is unaware of anyone in the Supreme Court Justice chambers that locks their door at night because of fear for their safety. Justice Prosser said there have been several times that he has walked by the Chief Justice's office at night, on his way to the library, and she has screamed out as he passed, as if there was a fear that someone was stalking her.

We asked Justice Prosser if at any point he felt he needed to apologize to Justice Bradley after this incident. Justice Prosser said he had talked about either an oral or written apology with various people. Justice Prosser said he did not believe he did anything wrong, because she charged at him. He said he could have written a note, and maybe should have, and one person suggested he just go talk with Justice Bradley. Justice Prosser said he would never go to Justice Bradley by himself to discuss this incident. Justice Prosser said he has not issued any form of apology. Justice Prosser said he feels he did not do anything wrong during this incident, and reiterated this several times.

Justice Prosser gave us his physical description as 5'9" and 165lbs.

We asked Justice Prosser if there were any other statements he would like to make and he stated there were not. He gave us copies of the materials he brought with him, copies of which have been attached to this report. We had no further questions for Justice Prosser and our meeting ended at 1:18 p.m. on July 8, 2011.

Please see the saved audio file under this case number for more details.

ATTACHMENTS:

- An email dated June 13, 2011 at 5:46pm (1 page)
- Justice Prosser's hand written notes (2 pages)
- Diagram of seating arrangement in Supreme Court conference room (1 page)
- Blueprint of WI Supreme Court (1 page)

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:30:33 CDT 2011

08/23/11

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Supplement

07/11/11 Detective P. Hansen PHONE CONTACT WITH CHIEF JUSTICE SHIRLEY ABRAHAMSON

Phone Call From Chief Justice Abrahamson:

On Tuesday, July 5, 2011, at approximately 12:40pm, Chief Justice Abrahamson called me and told me she recalled additional information. The Chief Justice said she was thinking about when we asked her if she spoke to anyone about this, and she recalled that she spoke to her law clerk, Peter Rank, and her assistant, Ingrid Nelson after the incident.

Chief Justice Abrahamson said she told both of them there was an incident where Justice Prosser put his hands on Justice Bradley while they were in Justice Bradley's office. She said she did not go into detail about what happened with either of them, and only made the brief statement about Justice Prosser putting his hands on Justice Bradley.

She also told us that she had typed notes into her computer, but she was not ready to decide if she was going to release them.

My phone contact ended with the Chief Justice at approximately 12:45pm.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Fri Jul 15 09:31:34 CDT 2011

08/23/11

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Supplement

06-28-11 Detective P. Hansen CONTACT WITH CHIEF CHARLES TUBBS

PERSON CONTACTED:

Chief Charles Tubbs
Capitol Police Chief

CONTACT WITH CHIEF TUBBS:

On Tuesday, June 28, 2011 at approximately 10:00 a.m., Detective Sabrina Sims and myself met with Chief Charles Tubbs in his office at the Capitol Police Station. Upon contact, we introduced ourselves to Chief Tubbs as being the investigators assigned to investigate the incident between the Supreme Court Justices on June 13, 2011.

We had been informed Chief Tubbs had contact information for the Justices, along with others who may have been involved with this incident. Chief Tubbs did give us this contact list. Chief Tubbs also told us we should contact the Supreme Court Marshal, who he identified as Tina Nodolf.

We received a copy of the report Chief Tubbs had written as a result of his involvement with this incident. His report detailed how he had been notified of the incident, his contact with Justice Ann Walsh Bradley, and his contact with all of the Justices during a meeting, which included Human Resource Officer Margaret Brady, and then his disposition of the incident. The case number for this report is 1-11-005102 through the Wisconsin Capitol Police. A copy of the report has been attached to this case number.

Chief Tubbs paraphrased his report and stated he had received a voice message from Justice Bradley on June 13, 2011 asking for him to call her. Chief Tubbs stated he responded to her by text message due to the lateness of the hour that he listened to the message. Chief Tubbs states on Tuesday, June 14, 2011, he received a phone call from Justice Bradley stating that she had an encounter with Justice David Prosser on the evening of June 13, 2011.

Chief Tubbs also states in his report that he was invited to a meeting with the Justices on Wednesday, June 15, 2011 at approximately 9:00 a.m. Chief Tubbs states the purpose of the meeting was to meet with all seven Justices to discuss the incident between Justice Prosser and Justice Bradley from June 13, 2011. Chief Tubbs states the Justices had made statements regarding what had happened that evening as well. Chief Tubbs said he informed the Justices what could result from this. Chief Tubbs told them that if a criminal investigation were to take place, evidence would be collected, statements would be taken, and the information would be passed on to the Dane County District Attorney's Office for review. After that a decision would be made by the DA's Office on whether or not there would be an arrest from this incident.

Chief Tubbs states during this meeting, Justice Bradley had made the comment that all she wanted was a safe workplace for all of them and for Dave, meaning Justice Prosser, to get meaningful counseling. Chief Tubbs states Justice Bradley had repeated this on several different occasions.

The decision from everyone, including Justice Bradley, at this meeting was that they would not pursue a criminal investigation at that time.

Chief Tubbs states in his report that on June 22, 2011, he spoke with Justice Bradley over the phone and it was at that time she made clear that she no longer wished for this incident not to be documented by the police. Chief Tubbs states Justice Bradley had told him that he needed to do what needed to be done, which included written documentation of the incident, and a full criminal investigation if necessary. Justice Bradley stated she wanted to speak with Chief Justice Abrahamson about this decision before proceeding. Chief Tubbs states that he met with both Chief Justice Abrahamson and Justice Bradley on this same day and it was decided that a full police investigation would proceed.

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Chief Tubbs stated that he requested the assistance of the Dane County Sheriff's Office to investigate this incident.

I asked Chief Tubbs if, during his initial contact with Justice Bradley on June 14, 2011, he noticed any physical marks on her and he stated he did not notice any redness, bruising or any other type of physical marks on Justice Bradley. Chief Tubbs stated no photographs were taken of Justice Bradley after this incident.

I also asked Chief Tubbs if he knew if the incident was either audio or video recorded in some way, or if there was a steno present during the meeting with the Justices that would have documented the conversation prior to the incident between the Justices. Chief Tubbs stated as far as he knew, there was no audio or video recording of the incident. Chief Tubbs stated that we would have to check with the Justices to find out if there was a steno present that would have documented the conversation prior to the incident.

Chief Tubbs informed us that as far as he knew, all of the Justices were present during this incident with the exception of Justice N. Patrick Crooks. Chief Tubbs also stated there was possibly law clerks and receptionists present as well that may have witnessed what had happened. Chief Tubbs stated that we would have to speak with the Justices to find out who was present during this incident.

Chief Tubbs stated Tina Nodolf would also be able to give us information on abusive behavior she has witnessed from Justice Prosser towards Chief Justice Abrahamson in the past.

Chief Tubbs stated he has been told that all of the Justices will be on summer recess beginning after June 30, 2011, and they would be gone for two months before returning back into session.

We informed Chief Tubbs that we would make the appropriate arrangements to speak with the Justices, along with other witnesses prior to them leaving for their summer recess.

Chief Tubbs stated that he would assist us in anyway he could throughout this investigation. We thanked Chief Tubbs for his time and left his office at approximately 10:45 a.m.

ATTACHMENT:

Chief Tubbs report (2 pages)

END OF REPORT.

Detective Peter Hansen
Dane County Sheriff's Office

dlw Fri Jul 15 09:32:21 CDT 2011

08/23/11

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Supplement

06-30-11 Detective P. Hansen CONTACT WITH RACHEL GRAHAM

PERSON CONTACTED:

Rachel A. Graham
F/W DOB: 06/07/76
Work: (608) 261-8270

Rachel Graham is the law clerk for Justice Ann Walsh Bradley and has been since 2008.

INCIDENT INFORMATION:

On Wednesday, June 29, 2011, Detective Sabrina Sims and myself met with Rachel Graham in the reading room in the Supreme Court Marshal's Office at approximately 11:15 a.m. We identified ourselves to Rachel as being Detectives with the Dane County Sheriff's Office, assigned to investigate the incident between Justice Ann Bradley and Justice David Prosser from June 13, 2011.

Rachel gave us a statement that she had typed on June 14, 2011. Rachel stated Tina Nodolf had approached her on the morning of June 14, 2011 and asked her to write down what had happened and then "tuck it away somewhere".

Rachel said as a law clerk the general rule is that they are "to be seen and not heard" in the Justices offices. Rachel said she has always had this practice, but during the incident on June 13, 2011, she felt she needed to listen to the conversation because it was getting tense. Rachel stated she started to listen intently because of her concern about what was happening during the discussion. Rachel stated she wished she had the presence of mind to dictate a report immediately after this incident, but she did not. It wasn't until the following day that she had documented what had happened. Please see a copy of her written statement, which is attached to this report.

Rachel had concerns of confidentiality about the actual discussion between the Justices prior to the incident itself. I told Rachel that we have already been informed of the reason all of the Justices had come to Justice Bradley's office, and what the discussion was about. We asked Rachel to just discuss with us what she heard or saw during the time of this incident.

Rachel said, "It was a weird day." Rachel recalled the Secretary of the Department of Administration, Mike Huebsch, made public the court was going to make a decision, and the decision would be out by Monday. Rachel said she felt this was odd because the court normally works on court time, and she didn't know why somebody outside the court would be saying to the public the decision would be out by Monday.

Rachel then discussed the events from Monday, June 13, 2011 from approximately 6:00 p.m. Rachel said she was in her office at this time and Justices Ziegler and Prosser came into her office asking if Justice Bradley was in her office. Rachel said she told them she was and to go right on in her office. Rachel recalls Justice Ziegler making the comment "Oh good" and then saying something to the effect of "Oh, you're both here." Rachel said she believes Justice Ziegler was referring to the fact that the Chief Justice was in Justice Bradley's office at this particular time. Rachel said she initially only saw Justices Ziegler and Prosser come in, but throughout the incident she heard Justices Roggensack and Gableman's voices as well. Rachel believes that all four of the Justices were in or near Justice Bradley's office during the entire incident. Rachel said at one point she had looked over her shoulder, out her office door, and the only Justice she could see was Justice Gableman. Rachel said she was sitting at her computer, which faces away from her office doorway. Rachel believed the other Justices were either in Justice Bradley's assistant's office or in Justice Bradley's office.

Justice Prosser gave an 8 1/2 x 11in blueprint of the Supreme Court Chambers in the WI State Capitol Building to us during the course of this investigation.

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See this blueprint, which has been attached to this case number for details on the layout of the chambers. Photographs were also taken of Justice Bradley's chambers, which included Justice Bradley's office, her assistant's office, and Rachel Graham's office.

Rachel said she heard Justice Ziegler request that the court issue a press release that day based on their opinions. Rachel heard Chief Justice Abrahamson say she was not going to do that because she had been working on revisions for her opinion over the weekend, and currently Justices Crooks and Bradley were reviewing her revisions. The Chief Justice said she would circulate her opinion to the court by the next morning. Rachel said at that point she heard Justice Roggensack say that the court agreed that the order would go out today. Rachel heard Justice Bradley respond by saying that Justice Prosser had just circulated an 18 page concurrence causing a need to respond, and that the concurrent was circulated at 1:00 p.m. on this day, and that they needed time to respond to that concurrence.

Rachel said Justice Prosser was "taking umbrage" at that time. Rachel said in a very measured and escalating tone, and with "deliberate enunciation of his words", Justice Prosser stated that he had been working all weekend on the concurrence without a clerk, and then talked about how his clerk had been gone all weekend because [REDACTED]. Rachel said she recognized Justice Prosser's tone of voice from when he gets angry in open conference.

Rachel then heard Justice Bradley say something to the effect that she is not going to put up with his (Justice Prosser's) tantrums, and that he should stop at that time. Rachel said Justice Ziegler then asked about the press release again, and there was then more discussion about the press release. The Chief Justice again said she had been working on her opinion all weekend and that she had distributed revisions to Justice Crooks and Justice Bradley, and that she would circulate the revisions to the court the following day. She also made the comment that Justice Prosser would probably want to respond to the opinion. Rachel recalls the Chief Justice telling Justice Prosser "How can you guarantee that the order will be ready to go?" Rachel recalls Justice Prosser saying something to the effect of "I expect you to call me a fascist pig, but I will not revise my opinion." Justices Ziegler and Roggensack again inquired about a press release on that day.

Rachel said she then recalls Justice Bradley asking what the urgency in all of this was. Justice Bradley said she had been hearing from pundits who had been making predictions about when this court will release an order. There were certain times throughout the day that the pundits were talking about coming out with a decision from the court. Justice Bradley had inquired why they needed a press release, and made the comment that they work on court time, not the legislatures time. Justice Bradley also made the statement that the court "allows Justices time to make their opinions say what it needs to say". Justice Bradley then asked if any of them were making promises to anyone. Rachel heard Justice Roggensack say that none of them had made any promises to anyone and that it was the four of them, which included Justices Roggensack, Ziegler, Prosser and Gableman, that wanted the order out today and a press release would be like "a consolation prize" for them. Justice Roggensack said there were four of them who wanted to get this out.

Rachel said at that point, she recalls Justice Prosser saying emphatically "I have lost confidence in your leadership Chief Justice and I'm not going to stand for it". Rachel heard Justice Prosser say that he was not going to let the Chief Justice prevent the four of them from getting this press release out. Rachel heard Justice Bradley then say something to the effect of "That was enough and don't come in my office and issue threats." Justice Prosser in a very petulant tone, according to Rachel, said he was being very measured about this. Rachel said while Justice Prosser was talking again, he was talking in a very measured tone and was deliberately enunciating each of his words as he was talking. Rachel heard Justice Gableman say something to the effect of "Dave is being more reasonable than usual" or "more measured than reasonable." Rachel said she couldn't exactly remember what his comment was at that point. Rachel said she heard Justice Prosser say something again, but she could not remember exactly what he said and she heard Justice Bradley and Justice Prosser arguing

about whether or not Justice Prosser's tone was appropriate, and whether he was having a temper tantrum. Rachel recalls Justice Prosser's voice escalating again at this point. Rachel then heard Justice Bradley say strongly, "You get out of my office." Rachel then heard Justice Bradley yell something to the effect of, "Don't put your hands around my neck" and there was no dialogue for a moment after that. Rachel said at that point she was not sure whether to call Capitol Police to come to the office.

Rachel then heard Justice Bradley talking about not tolerating Justice Prosser putting his hands around her neck, and Justice Roggensack was telling Justice Bradley that, "You're not yourself, you charged him." Rachel heard Justice Roggensack say this a couple of different times. Justice Bradley said, "You saw that, Pat Roggensack, you saw that." Rachel heard this conversation between Justice Bradley and Justice Roggensack go back and forth several times.

Rachel said she did not recall hearing anything from Justices Prosser and Gableman after Justice Bradley had made the comment "Get your hands off of my neck." Rachel said Justice Roggensack was telling Justice Bradley that she had to hold her back and that she had provoked him. This is repeated and Justice Bradley had said, "You all saw him put his hands around my neck in a chokehold." Justice Roggensack again told Justice Bradley that she charged at him and that she was not being herself. Justice Bradley then stopped talking and the conversation amongst the Justices went back to the original subject matter, about whether or not a press release was going to be put out that day. Rachel did hear Justices Ziegler, Roggensack and Chief Justice Abrahamson continue to discuss whether or not Tom Sheehan should be called in to issue a press release yet that day. Rachel then heard Justice Ziegler say that this was not the highest and best use of anyone's time and Justices Ziegler and Roggensack then left Justice Bradley's chambers.

Shortly after everyone left Justice Bradley's chambers, Justice Bradley and Chief Justice Abrahamson came into Rachel's office and Justice Bradley apologized to Rachel for having to hear what just happened in the chambers. Rachel stated Justice Bradley is normally a cheery person and described her as somebody who had the attitude that "the sun was out somewhere in the world". At this particular time, Rachel described Justice Bradley as looking tense and startled. Rachel said she asked Justice Bradley if she was okay and she told her she was.

Rachel said Justice Bradley told her that Justice Prosser had put his hands on her neck. Rachel showed us how Justice Bradley demonstrated to her by placing both of her hands around her neck with her thumbs in the front of her neck. Both hands appeared to be making full contact around her neck at this point. Rachel said there was no further discussion that evening with Justice Bradley about this incident.

Rachel said later that evening, she met with Peter Rank, who is the law clerk for Chief Justice Abrahamson. Rachel said her and Peter met at James Madison Park and were talking about the incident. Rachel said it was clear to her that the Chief Justice had spoken to Peter about the incident as well. Rachel said she knew this because Peter was talking about how when Chief Justice came back into her office, she had immediately asked Peter what he would do if somebody asked him to leave their office. It was also clear that the Chief Justice had talked to Peter about placing hands on somebody's neck because Peter had made the comment that he would probably put his hands up. Rachel said there were no further details that went into her discussion with Peter.

Rachel also said that she had told her fiancé about what happened, but she did not go into detail with what had occurred. Rachel stated the entire incident from when Justices Ziegler, Prosser, Roggensack and Gableman came into Justice Bradley's office until the time they left was approximately 15 to 20 minutes and the incident with Justices Bradley and Prosser happened towards the latter part of that time.

Rachel stated the following day, June 14, 2011, Justice Bradley told her she was surprised by Justice Prosser's reaction because she had expected Justice Prosser to back away from her and leave the office and not put his hands around her neck.

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Rachel stated she had no further information regarding this incident at this time. Our contact with Rachel ended at approximately 12:15pm.

ATTACHMENTS:

Typed notes (3 pages)

END OF REPORT.

Detective Peter Hansen
Dane County Sheriff's Office

dlw Fri Jul 15 09:32:51 CDT 2011

08/23/11

Released To: Wisconsin Center for Investigative Journalist

Supplement

07/05/11 Detective P. Hansen CONTACT WITH JUSTICE PATIENCE DRAKE ROGGENSACK

PERSON CONTACTED:

Justice Patience Drake Roggensack
F/W DOB:07/07/40
Work: (608) 266-1888
Wisconsin Supreme Court Justice

INCIDENT INFORMATION:

On July 1, 2011, at approximately 3:05 p.m., Detective Sabrina Sims and myself met with Justice Patience Drake Roggensack in her office in the state capitol building. We identified ourselves as being detectives with the Dane County Sheriff's Office. I informed Justice Roggensack that we were there to speak with her in regards to the incident from June 13, 2011 between Justices Bradley and Prosser in Justice Bradley's chambers.

I started out by telling her what we knew about the events that led up to Justices Ziegler, Prosser, Gableman and herself to come to Justice Bradley's chambers on the eve of June 13, 2011 at approximately 6:00 p.m. I told her we knew they were going to find out whether or not a press release was going to be sent out on that day regarding a decision that was made by the court. We asked Justice Roggensack to tell us about the events that took place upon arrival to Justice Bradley's chambers, including what was said and done by everyone to the best of her recollection. The following is a detailed statement given to us by Justice Roggensack.

Justice Roggensack then stated Justices Gableman, Ziegler and Prosser, along with her self first went to Chief Justice Abrahamson's office to ask her about the press release. When they discovered she was not in her office, they then went to Justice Bradley's chambers and found that the Chief Justice and Justice Bradley were together there. She said Justice Prosser asked the Chief Justice when she was going to be done with her opinion because they wanted a press release to go out that day. Justice Roggensack stated the four of them that had gone to Justice Bradley's office were the majority, and although they did not need to go to the Chief Justice about the press release, it has been past practice that they all agree upon the time in which the press release is given out.

Justice Roggensack said the Chief Justice told Justice Prosser that she was not ready with her opinion, and Justice Prosser told her he wanted the press release to go out.

Justice Roggensack said the Chief Justice and Justice Prosser were arguing about whether or not a press release was going to be issued, and it was during this argument that Justice Bradley "charged at him [Justice Prosser] with her fist in the air". Justice Roggensack said when Justice Bradley approached Justice Prosser, Justice Prosser raised his hands and put his hands up near Justice Bradley's neck, but his hands were "never in a choke hold." Justice Roggensack said she recalled Justice Bradley saying something to the effect of "don't put your hands on me." Justice Roggensack again stated Justice Bradley had a fist up at this time. Justice Roggensack then said she wanted to make it clear that at no point did Justice Prosser have Justice Bradley in a chokehold, and Justice Prosser never applied pressure with his hands on Justice Bradley. Justice Roggensack said as soon as Justice Prosser's hands were placed on Justice Bradley, she got in between the two of them and she immediately told Justice Bradley that this was not like her.

Justice Roggensack said Justice Bradley had always been a sort of protector for the Chief Justice because they go back a long way and they are friends. Justice Roggensack said if she had not got in between the two of them, she believes Justice Bradley would have "smacked him in the face with her fist." Justice Roggensack said everything happened really fast during this incident. Justice Roggensack said Justice Prosser should have walked away from the incident and Justice Bradley should not have come at him the way she did. Justice Roggensack

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said in her opinion, "they were both out of line and they were both very angry." Justice Roggensack again said Justice Bradley was "trying to get at him with her fists." Justice Roggensack said she did not recall what was said between Justices Bradley and Prosser as Justice Bradley was approaching him during the incident.

Justice Roggensack said she was upset about the incident and after she got back to her office, she immediately took notes on what she recalled happened. She gave us a copy of these notes, which have been attached under this case number.

Justice Roggensack said she believes what provoked Justice Bradley to "walk with rapidity" towards Justice Prosser was a comment that Justice Prosser made to the Chief Justice about him having lost confidence in her leadership. Justice Roggensack said she could not recall exactly how Justice Prosser said it to the Chief Justice, but it had something to do with him having no confidence in her leadership. Justice Roggensack said Justice Prosser's argument was focused on the Chief Justice the entire time and that Justice Prosser had at no point argued with Justice Bradley.

Justice Roggensack said as Justice Bradley confronted Justice Prosser, she believes Justice Bradley said something to the effect of "don't put your hands on my neck." Justice Roggensack said based on her view, Justice Prosser never "choked" Justice Bradley and his hands were never around her neck. Justice Roggensack said Justice Prosser's hands did make physical contact with Justice Bradley, and his thumbs were in contact with the front of her neck, but his hands and fingers were pointing straight up and were never around her neck. Justice Roggensack also believed Justice Prosser's arms were somewhat extended. Justice Roggensack said she immediately got in between Justices Bradley and Prosser and made the comment "Ann this isn't like you." Justice Roggensack said she then focused her attention on Justice Bradley and tried to calm her down. Justice Roggensack said after Justice Bradley calmed down, she realized that at some point Justices Prosser and Gableman had left the chambers. Justice Roggensack did not see them leave and was unsure at what point they left. Justice Roggensack said as soon as Justice Bradley calmed down, she immediately went over to her desk and started typing up a Word document.

Justice Roggensack said Justice Bradley came at Justice Prosser "very fast". Justice Roggensack believed what set Justice Bradley off was that Justice Prosser was talking to the Chief Justice in an angry manner. Justice Roggensack believed Justice Bradley had her right fist up as she was walking rapidly towards Justice Prosser, but again said she could not recall exactly what was said by either one of them at that time.

Justice Roggensack said in her opinion, both Justices Bradley and Prosser were out of line and both of them would have received "an F" for that incident.

Justice Roggensack said she could not say if Justice Prosser's reaction was justified, and she could not say whether or not Justice Prosser had any choice but to place his hands on Justice Bradley. Justice Roggensack said Justice Bradley came at Justice Prosser so fast that she was unable to determine whether or not Justice Prosser was justified in any way.

Justice Roggensack said as Justice Bradley was typing at her computer, the Chief Justice and Justice Ziegler went back to talking about the press release. Justice Roggensack said the four of them could have issued a press release, but they agreed to wait for the Chief Justice and they all were in agreement that the press release would go out on that Monday. Justice Roggensack felt the Chief Justice was holding them back at that time. Justice Roggensack said she recalls telling the Chief Justice that she should have just allowed them to send out the press release. Justice Roggensack again said she came back to her office, wrote down notes of the incident, went home that evening and told her husband about what had happened. Justice Roggensack said she did not go into details with her husband, but told him that there was an incident at the office.

Justice Roggensack said on Tuesday, June 14, they all received notice that there would be a meeting on Wednesday, June 15 at 8:30 a.m., with the justices and Chief Charles Tubbs from Capitol PD.

Justice Roggensack said on Wednesday, June 15, 2011, all of the justices met with Margaret Brady and Chief Tubbs. Justice Roggensack said during the meeting Justice Bradley stated that she wanted a safe work environment for everyone and Justices Roggensack and Crooks had stated their agreement with that. Justice Roggensack said Justice Bradley mentioned how Justice Prosser had her in a chokehold, and Justice Roggensack responded by saying he did not have her in a chokehold at any point. Justice Bradley responded to her by saying "that's because you stopped him." Justice Roggensack told Justice Bradley that she did not stop him from anything, and added, "I stopped you from hitting him." Justice Roggensack said Justice Bradley did not react or respond to her making this statement. Justice Roggensack said the meeting was left with the idea that they would work on the hostility amongst them.

Justice Roggensack said this was the first time she had witnessed things escalate amongst them to something physical. Justice Roggensack said the justices should not touch other justices and justices should not threaten other justices with their fists.

Justice Roggensack believed Justice Bradley was the person that released the info to the press regarding the incident from February 2010 in which Justice Prosser had called the Chief Justice a bitch. Justice Roggensack said that was a closed meeting during which this was said. Justice Roggensack said she recalls during that meeting the Chief Justice was "needling" Justice Prosser at that time, and added that she felt the Chief Justice was "needling" Justice Prosser when they met with her on June 13, 2011 in Justice Bradley's office. Justice Roggensack said when Justice Prosser gets needled by the Chief Justice, and begins to react and respond to the Chief Justice; Justice Bradley steps in right away to protect the Chief Justice.

Justice Roggensack said she does not fear for her physical safety and feels that she does work in a safe work environment.

I then reviewed Justice Roggensack's statements and stated that I wanted to clarify her statement from her notes from June 13, 2011. When I told her that I wanted to ask her about when Justice Bradley "walked" towards Justice Prosser, she immediately stopped me and corrected me by saying that Justice Bradley did not walk towards Justice Prosser, "she moved towards him very quickly." Justice Roggensack said she wanted to make sure that I was clear that Justice Bradley was not walking at the time. Justice Roggensack said, "That's why it was so shocking" in regards to Justice Bradley moving very quickly towards Justice Prosser. Justice Roggensack again said she did not remember what Justice Bradley was saying at the time, but said that both Justices Bradley and Prosser were angry.

Justice Roggensack said Justice Bradley had also wanted Justice Prosser to seek anger management. Justice Roggensack said she did not think the court could order anger management, but she did make the statement during the June 15 meeting to all of them that she believed both Justice Prosser and Justice Bradley would need anger management if the court could order it.

Justice Roggensack said Justice Prosser responded to Justice Bradley by saying that he was not trying to choke her and had made the comment "I didn't come after you." Justice Roggensack said she could not recall anything else specific that Justice Prosser had said during the meeting on June 15. Justice Roggensack said Margaret Brady from Human resources had been taking notes during the meeting and she believed Margaret Brady would help us with further details.

Detective Sims and myself felt we had no further questions for Justice Roggensack at this point and we ended our time with her at approximately 3:45 p.m. Justice Roggensack stated she would contact us if she thought of anything else that was relevant to this incident.

ATTACHMENTS:

- Typed notes dated June 13, 2011 (1 page)
- Typed notes dated June 15, 2011 (1page)

08/23/11

Released To: Wiscinson Center for Investigative Journalist

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:33:49 CDT 2011

08/23/11

Released To: Wisconsin Center for Investigative Journalist

Supplement

07/12/11 Detective P. Hansen SECOND CONTACT WITH MARGARET BRADY

CONTACT WITH MARGARET BRADY:

On July 12, 2011, at approximately 10:15 a.m., Detective Sabrina Sims and myself went to Margaret Brady's office at 110 E. Main Street. The reason for our contact with Margaret Brady on this date was to pick up her notes from the meeting from June 15, 2011. I had been told the previous day that Margaret Brady was going to be able to release her notes to us as part of this investigation. We met with Margaret Brady and she gave us a copy of her notes, which have been attached to this case number. Margaret stated she had been informed that she should keep the originals and we would be allowed a copy. I did look through the notes and saw that it was consistent with the notes that she had allowed us to look at the previous week. We thanked Margaret for her time and ended our contact with her after a few minutes.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office

esb Fri Jul 15 09:34:39 CDT 2011

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Supplement

06/29/11 Detective P. Hansen CONTACT WITH JUSTICE N. PATRICK CROOKS

CONTACT PERSON:

Justice N. Patrick Crooks
M/W DOB: 05/16/38
Work: (608) 266-1883
WI Supreme Court Justice

INCIDENT INFORMATION:

On June 29, 2011, at approximately 3:45 p.m., Detective Sabrina Sims and myself met with Justice N. Patrick Crooks at his office in the state capitol building. Both Detective Sims and myself identified ourselves as being the detectives looking into the incident between Justice Bradley and Justice Prosser from June 13, 2011. I began by telling Justice Crooks background on what we knew, which led up to the events and cause for all of the justices to be in Justice Bradley's office on this particular evening. I also informed Justice Crooks that we had been told that he was not present during this incident and he stated that was correct. I told Justice Crooks that we were interested in information that he had been told regarding the incident from the people who were either directly involved or who had directly witnessed the incident. Justice Crooks told us he understood. The following details our contact with Justice Crooks.

Justice Crooks said he was at home at the time of this incident, and had arrived home at approximately 6:20 p.m. Justice Crooks said sometime around 7:00 p.m. on that evening, he received a call from Justice Bradley who was extremely upset over the phone. Justice Crooks described Justice Bradley as being very agitated and excited. Justice Crooks said Justice Bradley told him that Justice Prosser had put his hands around her neck in a chokehold, but that he had not exerted any pressure during this act. Justice Crooks said he told Justice Bradley that she needed to report this right away. Justice Crooks said he told her that at a minimum she needed to call the Supreme Court Marshal, Tina Nodolf. Justice Crooks said that was the extent of his conversation with Justice Bradley at that particular time. Justice Crooks said he believed he sent Justice Bradley a text message later on in the evening asking her if she was still at her chambers, and he believes that he did not receive a response from her.

Justice Crooks said he knew at a minimum Justice Bradley had called Tina Nodolf and Chief Charles Tubbs of the Capitol Police on the night of the incident.

Justice Crooks said on Tuesday, June 14, 2011, when he arrived at his office, he went to speak with Chief Justice Shirley Abrahamson. During his meeting with the Chief Justice, Justice Bradley and Chief Tubbs came in to the office as well. Justice Crooks said all four of them had a discussion about what had happened the previous evening, and Chief Tubbs stated he wanted to meet with everyone in the court to address this matter.

I asked Justice Crooks what specifically he had been told about the incident if anything from the previous night. Justice Crooks said he had been told by Justice Bradley that Justice Prosser had acted out towards the chief justice during their meeting on June 13, 2011 in Justice Bradley's office. Justice Bradley said Justice Prosser was questioning the Chief Justice's ability and he told her that he had lost faith in her leadership. Justice Bradley ordered Justice Prosser out of her chambers. Justice Bradley said when she ordered him out of her chambers, she was walking towards him and was pointing with her left hand towards the door of her chambers, but never touched him. Justice Crooks stated at no point did Chief Justice Abrahamson or Justice Bradley mention she had used or shaken a fist at Justice Prosser. Justice Crooks also went on to say that nobody that witnessed this incident had ever stated Justice Bradley had used or shaken a fist at Justice Prosser during this incident.

Justice Bradley said it was when she approached Justice Prosser that he put his hands on her neck. Justice Bradley demonstrated the chokehold for Justice Crooks. Justice Crooks then demonstrated for us how Justice Bradley had demonstrated it. Justice Crooks' thumbs were on the front of his neck and his

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fingers were wrapped around his neck and his fingers were touching on the back of his neck. Justice Crook's hands were upside down compared to how Justice Prosser's hands would have been because he was demonstrating this on himself, and the same goes for Justice Bradley. Justice Crooks said that nothing Justice Bradley was telling him during this meeting was contrary to what she had told him from the night before.

Justice Crooks said on June 15, 2011, the seven justices as well as Chief Tubbs and Margaret Brady, the Supreme Court Human Resource Officer, met in the conference room of the Supreme Court justices. Justice Crooks believed Chief Tubbs was there to act as a mediator because he was asking all of the justices for a commitment that there would be no further physical violence between any of them in the workplace, and that there would be no further verbal abuse by anyone in the court as well. Justice Crooks also said Chief Tubbs was not taking any notes during this meeting.

Justice Crooks recalled Justice Bradley wanting Justice Prosser to attend counseling, and that she wanted a commitment that he would attend counseling as a result of this incident. Justice Crooks also recalled Justice Gableman questioning why Margaret Brady was present in the chambers, and Chief Tubbs had stated that this is what human resource people do, and it was necessary for her to be present.

Justice Crooks states in his opinion, that during this meeting, Justice Prosser admitted what he had done to Justice Bradley, which included him putting his hands around Justice Bradley's neck. Justice Crooks said at no point during this meeting did Justice Prosser deny that this even happened. Justice Crooks said while Justice Prosser was talking about the incident with Justice Bradley, he held his hands out like he was touching her shoulders, and then he acted out with his hands that he had put his hands around Justice Bradley's neck. Justice Crooks said he feels Justice Prosser clearly admitted that the incident had occurred. Justice Roggensack was telling Justice Bradley that she had caused this incident to happen, and that Justice Bradley had touched Justice Prosser first. Justice Crooks said that was his recollection of the events as they had been explained to him, including how the incident was described during the meeting on June 15, 2011.

HISTORY OF WORK ENVIRONMENT:

Justice Crooks said early in his tenure as Supreme Court Justice, he recalls a meeting in which Justice Prosser had called him a "viper" in an aggressive manner. Justice Crooks believed it was sometime around the fall of 1999 when Chief Justice Abrahamson was running for re-election for supreme court. Justice Crooks said he was not supporting her re-election at the time, and Justice Prosser was. It was during a meeting with the other Justices that Justice Crooks stated he was not going to support the Chief Justice's re-election. Justice Prosser had stood up and aggressively called him a "viper" during that meeting because he was not supporting the Chief Justice. Justice Crooks recalled Justice Prosser had walked out of the room, and slammed the door hard enough to cause the glass to vibrate. Justice Crooks said he had never forgotten that incident, and believes since then things have been either just as aggressive from Justice Prosser, and in some cases they have escalated.

Justice Crooks said he has noted Justice Prosser "loses his cool repeatedly." Justice Crooks has witnessed Justice Prosser get red and pound on tables with his fists, and get louder and louder in tone during meetings, conferences and sometimes even during public meetings. Justice Crooks said there are times that nothing happens that trigger Justice Prosser losing his cool. Justice Crooks said he estimated Justice Prosser "explodes and storms out of a room" approximately three to four times a year.

Justice Crooks said on February 22, 2010, he and Justice Bradley met with John Voelker, Director of State Courts, and Margaret Brady, asking that something be done about Justice Prosser because they felt there was an escalation in violence. This meeting was a result of a February 10, 2010 closed meeting with the Justices, during which, Justice Prosser made the comment to the Chief Justice, "You are a terrible chief. If you do not withdraw you are going to be destroyed". The Chief Justice had responded by saying, "Are you threatening

me?" and Justice Prosser said, "Yes, . . .you are a bitch" and added, "There will be a war against you and it will not be a ground war". Justice Crooks and Bradley had concerns for the Chief Justice after this, and therefore went to speak with Voelker and Brady. Justice Crooks said both his law clerk and assistants had told him they felt they were working in "a hostile work environment."

Justice Crooks said he has never tried to calm Justice Prosser down when he becomes irate, and the person that has been the most effective in calming him down has been Justice Bradley over the years. Justice Crooks said Justice Bradley sits next to Justice Prosser during their meetings. Justice Crooks states he feels that if he ever tried to calm Justice Prosser down, it would be like "fueling the fire."

After the February 2010 incident, Justice Crooks said the chief justice had a friend, who is either a psychiatrist or psychologist; evaluate Justice Prosser's behavior. Justice Crooks said the behavior was evaluated only by what the Chief Justice told the psychiatrist at the time. The psychiatrist had not talked to anybody about Justice Prosser's behavior, including Justice Prosser. Justice Crooks said the psychiatrist believed that it would be highly unlikely Justice Prosser's behavior would escalate to any sort of violence. Justice Crooks said that it was clear, based on the June 13, 2011 incident, that the psychiatrist was wrong.

Justice Crooks also said that he believes there are a lot of people in their office that are fearful of losing their jobs if they speak out about this incident or any other incident. Justice Crooks also said Margaret Brady had told them she could not do anything because they are elected officials.

I asked Justice Crooks if he feared for his own safety at any point and he stated he did not. Justice Crooks did say that, although he does not fear for his safety, he does feel intimidated by Justice Prosser. Justice Crooks said he feels that he has to "walk on eggshells" because he does "not want to trigger an explosion or set him off." Justice Crooks said he has to watch what he says to Justice Prosser at all times. Justice Crooks also has noticed when the Chief Justice is out in public giving any type of speech, and Justice Prosser is present, he has noticed the Chief Justice will always turn to Justice Prosser and ask him if he has anything he would like to add or say at that time. Justice Crooks said the Chief Justice does not ask any of the other justices if they have anything to say, only Justice Prosser. Justice Crooks believes this is the Chief Justice's way of appeasing Justice Prosser while they are out in public.

Justice Crooks also talked about a public hearing in the fall of 2009 in which the justices were listening to a case regarding campaign money. Justice Crooks said someone was lobbying in regards to the campaign money and during this time, Justice Prosser "displayed anger and showed accusations". Justice Crooks said that was an example he could recall in which Justice Prosser had showed a temper tantrum in a public meeting.

Justice Crooks said he would be fine if the result of this investigation resulted in Justice Prosser receiving counseling or treatment for his behavior. Justice Crooks believes Justice Prosser needs more than just anger management counseling.

Justice Crooks also told us that he has witnessed Justice Prosser say that the judges in Dane County and police in Dane County are corrupt. Justice Crooks said he has no idea why Justice Prosser would say this, but added, "It's like he's paranoid or something."

ATTACHMENTS:

Justice Crooks gave us information printed from the Internet, which were newspaper articles that mentioned incidents involving Justice Prosser and his behavior. He also gave us notes he had typed for the Feb. 22, 2010 meeting. A copy of the notes has been attached to this case number. The newspaper clips were not attached because they have already been circulated to the public.

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Justice Crooks also gave us a brief biography of himself, which has not been attached to this report either.

We informed Justice Crooks that we had no further questions for him, but he stated that he could make himself available to us if at any point we had anything further to ask him. We thanked Justice Crooks for his time and ended our contact with him at approximately 4:45 p.m.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Investigative Services Bureau

esb Fri Jul 15 09:35:12 CDT 2011

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Supplement

06/29/11 Detective P. Hansen PHONE CONTACT WITH RACHEL GRAHAM

INCIDENT INFORMATION:

On Thursday, June 30, 2011, at approximately 8:40 a.m., Rachel Graham called me on my cell phone. Rachel stated she was calling me because she had recalled something after our meeting yesterday that she wanted to pass onto me. Rachel stated she recalled a question from Detective Sims in which Detective Sims had asked Rachel how she was feeling emotionally after she heard the phrase "get your hands off of my neck" or something similar.

Rachel stated after our meeting, she was thinking about that again and she recalled a sound that she remembers hearing before the phrase "get your hands off of my neck", or something similar. Rachel stated she was having difficulty trying to figure out how to describe the sound, but at one point stated it sounded like a gasp. I asked Rachel if it was a sound from a human or from something else and she stated it was a sound made by Justice Bradley. I asked Rachel how she could be so sure that the sound came from Justice Bradley. Rachel stated she has worked with Justice Bradley long enough that she recognizes her sounds and mannerisms. Rachel stated she has no doubt in her mind that it was Justice Bradley that had made the sound.

Rachel said that she remembered thinking to herself when she heard the sound that something was happening to Justice Bradley, and this gave her great cause for concern. Rachel stated it was then that she heard Justice Bradley say "get your hands off of my neck", or something similar.

Rachel said she wanted to make sure that she passed this information on, and said that she would call me if she could recall anything else. I thanked Rachel for her time and ended my phone contact with her at that point.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Field Services Division
Investigative Services Bureau

esb Fri Jul 15 09:36:44 CDT 2011

08/23/11

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07/15/11 Detective P. Hansen DIAGRAM OF JUSTICE BRADLEY'S CHAMBERS

DIAGRAM:

A layout of Justice Bradley's chambers has been attached to this case number. The diagram is not to scale, but it does show the location of everyone while they were in Justice Bradley's chambers on June 13, 2011. Those that were present during the incident gave consistent descriptions of their location in the chambers.

PHOTOGRAPHS:

Photographs were also taken of Justice Bradley's chambers to supplement the diagram.

ATTACHMENTS:

- Diagram of Justice Bradley's chambers
- Photographs

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office

08/23/11

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Supplement

07/06/11 Detective P. Hansen CONTACT WITH JUSTICE MICHAEL J. GABLEMAN

CONTACT:

Justice Michael J. Gableman
M/W DOB:09/18/66
Work: (608) 266-1884
Wisconsin Supreme Court Justice

CONTACT INFORMATION:

On July 5, 2011, at approximately 1:00 p.m., Detective Sabrina Sims and myself met with Justice Gableman in his office at the state capitol building. Both Detective Sims and myself identified ourselves as detectives with the Dane County Sheriff's Office. I informed Justice Gableman we were there to speak with him in reference to the incident, which occurred on June 13, 2011 in Justice Bradley's chambers. I gave Justice Gableman a brief synopsis of what we knew in regards to the events that led Justices Ziegler, Prosser, Roggensack and himself to come to Justice Bradley's office on the evening of June 13, 2011. When I was done giving the brief synopsis, I asked Justice Gableman if what I had just said was accurate, and if so to continue on with the following events that occurred in Justice Bradley's chambers to the best of his recollection.

Justice Gableman said I was not entirely accurate with my synopsis. Justice Gableman had stated all of the people on the court had agreed the Thursday prior to this incident that a press release would be sent out by Monday, June 13, 2011, regarding their decision. Justice Gableman said when they went to Justice Bradley's office to speak with the chief justice; they were going there to find out whether or not the press release was going to be sent out and to come up with a compromise. Justice Gableman said, "it was David's idea for diplomacy" and it was Justice Prosser's idea to compromise with the chief justice. When they were discussing the press release in Justice Bradley's chambers, the chief justice told them she might not be ready for a press release that day, the next day, or maybe not until the end of the month.

Justice Gableman said he was standing in Justice Bradley's assistant's office, approximately 6 to 8 feet back from Justice Bradley's office door. He described Justice Prosser as being to his left, approximately 5 to 6 feet from him and on the left side of the door as he was facing it from the outside of Justice Bradley's office. Justice Gableman believed that Justice Roggensack was on the right side of the door where he was, but closer to the door. Justice Gableman said he could not recall the location for Justice Ziegler during this incident.

Justice Gableman said after the chief justice told them that she might not be ready with her decision until the end of the month, Justice Prosser then, while hunched forward and hands together as if he was praying, said in a "meek and intently sincere" voice, "Chief I have lost total confidence in your leadership." Justice Gableman said he was not shouting, there was no volume to his voice, there was no swearing, it was not said in a hostile way, and added that it was "a fairly unremarkable comment".

Justice Gableman said it was this comment that he believes prompted Justice Bradley to rush over to Justice Prosser. Justice Gableman said he had not seen Justice Bradley in her office from where he was standing, until she was "rushing towards Justice Prosser" out of her office. Justice Gableman said Justice Bradley got within approximately one foot of Justice Prosser and had what he believed was her right fist in his face. Justice Gableman said he recalled Justice Bradley's blue glasses in her right fist at this time because he remembered thinking that her glasses were about to break. Justice Gableman said Justice Bradley's fist was going towards and away from Justice Prosser's face in almost a punching motion. Justice Gableman said he wanted to make clear that Justice Bradley's fist was not going up and down, but rather in and out towards and away from Justice Prosser during this incident. Justice Gableman said Justice Bradley's fist was in Justice Prosser's face and came within about an

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inch every time she would extend her fist while speaking to Justice Prosser. Justice Gableman said Justice Bradley was telling Justice Prosser, "You have no right to talk to the chief justice that way." Justice Gableman said Justice Prosser had "a look of shock and surprise" and described him as "looking up" at Justice Bradley. Justice Gableman believes Justice Bradley is a little bit taller than Justice Prosser. Justice Gableman then used the analogy of a photograph regarding President Johnson where he is talking to and leaning over a senator. Justice Gableman said President Johnson was a tall man and was hovering over the senator. Justice Gableman said it was a famous photograph, and used the description of this photograph to describe how he believed Justice Bradley was leaning over Justice Prosser.

Justice Gableman said he recalled Justice Roggensack saying, "Ann this isn't the person you are. This isn't you." Justice Gableman believed Justice Roggensack was pulling on Justice Bradley's left arm at this time. Justice Gableman said Justice Prosser raised his hands and "pushed" Justice Bradley in "a defensive move". Justice Gableman said he believed Justice Prosser's hands were on the area where the shoulders meet the neck on Justice Bradley at this time. Justice Gableman said it was not a violent push, and after a brief pause he recalled Justice Bradley saying, "you choked me, you choked me." Justice Gableman said he immediately responded to Justice Bradley by saying "he didn't choke you, he pushed you to get your fist out of his face."

Justice Gableman said at this time his mind also went back to September 18, 2008, a date that he recalled because it was his birthday. Justice Gableman said he had been on the court for approximately one month at the time, and while in a meeting with the other justices, Justice Crooks was reading the horoscopes. Justice Gableman said he remembers making a comment to the chief justice in a joking manner and used her first name, Shirley, during this comment towards her. Justice Gableman said right after he said the chief justice's first name, Justice Bradley came over to him, hit him on the back of the head and told him that he needed to show respect to the chief. Justice Gableman said that he believed Justice Bradley was not joking because nobody was laughing at the time. Justice Gableman said he has not told anyone about that incident and has not talked about that incident with anyone, including Justice Bradley, after it happened.

Justice Gableman again was describing Justice Bradley's fist as moving toward and away from Justice Prosser's face, and she was "maintaining control within an inch from his face." Justice Gableman believed Justice Bradley's fist was in the region of his nose, but more towards his (Justice Prosser's) left cheek.

We asked Justice Gableman to be as specific as possible in regards to Justices Bradley and Prosser's hands or fists and each of their positions as Justice Bradley approached Justice Prosser. Justice Gableman said he believes that Justice Prosser's reaction to Justice Bradley was "imminently reasonable." Justice Gableman said he believed Justice Prosser had two choices as Justice Bradley rushed towards him. Justice Gableman said Justice Prosser would have had to step back, but he was not sure if he had room based on the close quarters in the assistant's office where this happened. Justice Gableman said he believes Justice Prosser was in a "physically vulnerable position while looking up." Justice Gableman said he believes Justice Prosser made a "subconscious reaction" to Justice Bradley because she had her fist in his face. Justice Gableman said when Justice Prosser pushed Justice Bradley back with his hands; he did not think that she moved far back at all, if at all. Justice Gableman said as soon as Justice Prosser's hands came off of Justice Bradley, he believed she was in the same spot that she had been when she first approached him. Justice Gableman said he was not sure if Justice Bradley's fist was raised as she came out of her office, but he did recall her glasses in her hand and again said he was surprised that they did not break. Justice Gableman again said Justice Bradley's fist was going toward and away from Justice Prosser's face versus an up and down chopping manner. Justice Gableman said he believes Justice Bradley had put her fist in his face approximately three times. He stated he could not recall exactly how many times, but said it was at least three, maybe four times. Justice Gableman did not believe Justice Prosser said anything while Justice Bradley was in his face.

We asked Justice Gableman to describe Justice Prosser's hands as they made

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physical contact with Justice Bradley. Justice Gableman said his hands were "on an area of the shoulders where you would push someone if you were trying to get that person away from you." Justice Gableman believed Justice Prosser's palms were open at this time and were never over her shoulder or around her neck at any point. Justice Gableman believed his fingers were pointing up at the time. Justice Gableman did not believe Justice Prosser made contact with Justice Bradley's neck at any point, and again said he believed that Justice Prosser was trying to get Justice Bradley away from him. Justice Gableman said it seemed like a "vast predominance of hands on her shoulders." Justice Gableman also said "it did not appear that he choked her." Justice Gableman said nothing was obstructing his view during this time and nobody had stepped in front of him to prevent him from seeing this incident completely. We asked Justice Gableman if Justice Roggensack had stepped in his view at any point and he said she did not. He said she was standing behind Justice Bradley at this time and pulling back on her left arm, but she had never obstructed his view of this incident.

Justice Gableman said there was a brief pause, Justice Bradley then said, "you choked me, you choked me". Justice Gableman responded to Justice Bradley telling her he did not choke her but rather pushed her away because her fist was in his face. Justice Gableman believes that he and Justice Prosser then stepped out of Justice Bradley's office. Justice Gableman said Justice Prosser did not make any comments about the incident to him at the time, but he recalls telling Justice Prosser "that was crazy." Justice Gableman also added "everything was so odd, to say that Prosser choked her is bizarre." Justice Gableman said as he and Justice Prosser left, he went into Justice Prosser's office momentarily and said that Justice Prosser did not make any comments about the incident. Justice Gableman described the incident as "it was new territory", and added that it felt like Justice Bradley had acted disproportionately to the circumstances. Justice Gableman again said Justice Prosser seemed very shocked about the incident and did not talk about anything.

Justice Gableman said he believes he shared the incident with other people, but he could not be specific on who he may have talked to. Justice Gableman said he knows that he never described the incident in detail, but had maybe said in passing that the entire incident was crazy. Justice Gableman believed that Justice Prosser was in a vulnerable posture at the time and again said he believed that Justice Prosser had two choices. One being to step back and the other one to do what he did. Justice Gableman again said Justice Prosser's reaction seemed "imminently reasonable."

We asked Justice Gableman to describe the relationship between Justice Bradley and the chief justice. Justice Gableman said they have a very close relationship and described them as having a mother/daughter relationship. Justice Gableman said he has witnessed the two of them walking around arm in arm in the past. Justice Gableman again recalled the incident from September 18, 2008 when he was hit on the back of the head by Justice Bradley and was told by Justice Bradley to show respect to the chief justice.

Justice Gableman said he has never heard of any other physical incidents between the justices in the past. We then asked Justice Gableman to discuss any outbursts that he has witnessed in regards to Justice Prosser. Justice Gableman said the only time he has witnessed Justice Prosser getting angry or upset is when he believes Justice Prosser thinks that there is about to be an injustice or that somebody is "going to get the shaft" Justice Gableman said he has never seen a reaction from Justice Prosser that would make him think, "boy there's something wrong with this guy." Justice Gableman said that he has witnessed Justice Prosser talk "outside the tenor of his voice," but added that he has not seen anything that was irrational from Justice Prosser.

We asked Justice Gableman to talk about the meeting on June 15th with all of the justices as well as Chief Charles Tubbs and Margaret Brady. Justice Gableman said Justice Bradley had sent out an email for all them to meet on June 15 at 8:30 to discuss workplace safety. Justice Gableman said he recalled that at that time they were all supposed to have their photograph taken with their law clerks and assistants. Justice Gableman said that Chief Tubbs was at the meeting to act as some sort of mediator between all of them. Justice Gableman said he knows that Chief Tubbs and Justice Bradley are personal friends and they go way back. Justice Gableman said he recalls Chief Tubbs telling them that

they are there to "recognize that workplace violence is never acceptable." Justice Gableman said all of them agreed that workplace violence was not acceptable. Justice Gableman recalled Chief Tubbs asking all of them to commit to a workplace environment that was free of violence. Justice Gableman said he recalls Justice Bradley telling them her husband told her to get a restraining order against Justice Prosser. She also said that she was not going to do that unless they all voted for Justice Prosser to get counseling. Justice Gableman recalled Justice Roggensack making the comment that she did not believe she had the authority to vote for something like that and added that if she could, she would vote for Justice Bradley to get anger management as well. Justice Gableman also recalled Chief Tubbs referring to Justice Bradley as a victim from this incident. Justice Gableman said he recalls telling Chief Tubbs to use caution with the term victim until he hears from all sides of the incident.

Justice Gableman then recalls the chief justice and Justice Bradley asking if it was okay if somebody places their hands on someone's neck in anger. Justice Gableman recalled this as being very strange because nobody else had used the term chokehold during the meeting. Justice Gableman said that he wanted to make clear that at no point was Justice Bradley ever put in a chokehold. Justice Gableman said the chief justice demonstrated what had happened between Justices Prosser and Bradley on June 13 on Chief Tubbs. Justice Gableman said the chief justice was putting her hands around the chief's neck and Justice Roggensack said, "David never choked her." Justice Gableman remembered Justice Bradley saying at that time "that's because you pulled me back."

Justice Gableman believed during this meeting that Justice Prosser gave his version of what happened as well, but he could not recall exactly what he had said. He did remember that Justice Prosser had said that nobody was acknowledging the threat that Justice Bradley was making in regards to Justice Bradley wanting counseling for him or she would go public with this.

Justice Gableman recalled Margaret Brady taking notes during this meeting. He asked Margaret what the notes were for. He remembers Margaret responding by saying she always takes notes in meetings like this and he asked for a copy of those notes. Margaret said that the notes were her personal notes and refused to give him a copy of them. We asked Justice Gableman if he had taken notes on this incident as well and he stated that he had written notes down on his computer as well as on paper. Justice Gableman said that he was not going to give us his notes that he had put in his computer, but he would allow us to review his notes that he wrote on paper.

I reviewed the notes that he gave us, which were dated June 15, 2011, beginning at 8:32 a.m. The note starts out with Justice Gableman jotting down comments made by Justice Bradley talking about how she wants to deal with the physical and verbal abuse internally. Justice Gableman wrote a comment by Justice Prosser saying ". . . when SSA refused to issue any kind of an order, it was a willful countermanding of a decision of a court. AWB rushed me with fist in my face. I didn't move. I instinctively pushed her. She was right in my face and fist was in my face. It was an instantaneous reaction." Justice Gableman goes on to write a further comment by Justice Prosser saying, "this is a great job. For years, two members of this court have been for years trying to make this job as unpleasant as possible for me and for other members of this court." Underneath this, it says "- calculated scheme of bullying and abuse - I'd testify to that in court." Justice Gableman also wrote down a comment by Justice Bradley saying, "I do have our answer. This is not about digging deep. This is not about forming a study committee. I want counseling for Dave." Justice Gableman wrote down a comment by Justice Roggensack who said, "I think you need counseling for anger management. Conduct was out of line on both your parts." The last comment I wrote down from Justice Gableman's notes was a comment by Justice Prosser who said, "I have not heard any recognition on the part of one and two that they are ever a part of the problem. We heard a threat from two that unless she gets what she wants she will go public."

Justice Gableman's notes appeared consistent with his statement.

Justice Gableman said "one" is the chief justice and "two" is Justice Bradley. Justice Gableman said they are all numbered one thru seven based on seniority with him being number seven since he is least senior.

Justice Gableman said he could not recall anything else other than what he had described to us. Justice Gableman said we were free to contact him if there were any further questions for him, and he would contact us if he could recall anything else as well. Our contact with Justice Gableman ended at approximately 2:45 p.m.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Investigative Services Bureau

esb Fri Jul 15 10:03:28 CDT 2011

08/23/11

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Supplement

07/18/11 Detective P. Hansen SECOND CONTACT WITH JUSTICE ZIEGLER

INCIDENT INFORMATION:

On Monday, July 18, 2011, at approximately 11:05 a.m., Detective Sabrina Sims and myself met with Justice Annette Ziegler at the Washington County Courthouse in West Bend, Wisconsin. The purpose of our meet was to do follow up with Justice Ziegler reference her initial contact with us. We sat down with Justice Ziegler in the jury room of the Washington County Courthouse. The three of us were the only people present during this time.

I informed Justice Ziegler that we did not have a chance to talk with her during our initial contact about June 14th and the meeting on June 15th, and wanted to get a statement from her regarding what she recalled about those two days. Justice Ziegler told us she was not in Madison on June 14th, but said she believes there were some emails sent out throughout the day regarding a meeting the justices were going to have the following day. Justice Ziegler said she believed that there was supposed to be a photo shoot scheduled for this time, but it was postponed because of the meeting on June 15th.

We then asked Justice Ziegler to tell us about the meeting on June 15th. Justice Ziegler said all the justices met with Chief Tubbs, who told all of them that it would be a good idea for the court to deal with this situation internally. Justice Ziegler also recalled Justice Bradley saying that Justice Prosser needed help, and she remembers somebody saying that they both needed help. She recalled telling everyone that the court should "dig deep" and figure out how the court should perform. Justice Ziegler said the Supreme Court "should be the example to lawyers and judges how the judicial system should be." Justice Ziegler also said Justice Bradley was saying throughout this meeting that there was only one person on the court to blame. Justice Ziegler felt everyone on the court could do better, but she did not know what everyone thought about the meeting. She thought the entire meeting lasted approximately 30 minutes.

Detective Sims then told Justice Ziegler that we needed to go back and talk about the June 13th incident to clear some things up. Justice Ziegler immediately said she was not going to talk about that again because she had already talked about that incident. She said if we had specific questions for her or if she could review our notes, she could tell us whether or not they were accurate, but other than that she was not going to talk about the incident again. We told Justice Ziegler that we wanted to talk to her specifically about the time frame right after Justice Prosser made the comment to the Chief Justice about him not having confidence in her leadership. Justice Ziegler again said she was not going to talk about that again, unless we had a specific question for her. Detective Sims mentioned how Justice Bradley walked towards Justice Prosser and Justice Ziegler said she was not walking, "she was going quickly" towards Justice Prosser.

We then asked Justice Ziegler about who was engaged in conversation with the Chief Justice. We told Justice Ziegler that several people have stated Justice Prosser and the Chief Justice were engaged in a conversation, and it was immediately after he made the comment to the Chief Justice about not having confidence in her leadership that Justice Bradley approached Justice Prosser. We told Justice Ziegler that her initial statement to us was that she was engaged in the conversation with the Chief Justice at that time. Justice Ziegler said, "It was an environment where more than one person was talking."

Justice Ziegler then added, "The whole thing was unusual." She used this to describe the incident on June 13th. Justice Ziegler further said, "This was not very judicious of them." We asked her if it was normal for her to take notes after meetings, and she again stated, "The whole thing was unusual". She added that she sometimes takes notes depending on the circumstances. Justice Ziegler repeated how unusual this incident was on several different occasions during our contact with her.

We asked Justice Ziegler whom she might have talked to after this incident. She

08/23/11

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said she recalls speaking with Justice Roggensack, and they talked about taking notes on the incident, but she does not recall exactly when that conversation took place or the details of that conversation. Justice Ziegler specifically told her law clerk and assistant to ignore what they hear happened and concentrate on the work that needed to be done. Justice Ziegler said she did not want to have her staff get involved with this at all.

We then asked Justice Ziegler if she recalled any past incidents of physical contact between the justices and she initially stated she did not recall anything from the past. She then said, recently Justice Gableman told her about Justice Bradley hitting him on the back of the head, but she said she did not have any details of that and did not know when it happened. Justice Ziegler said she could not be specific on when Justice Gableman told her that happened. She also said nobody has ever threatened her and she has never put hands on anyone while at work. Justice Ziegler said at one point the Chief Justice was going to demonstrate on her what had happened between Justices Bradley and Prosser, and she said that she was not going to allow that to happen.

Justice Ziegler again said she was not going to talk to us about the June 13th incident unless we had a specific question or unless she could look at our notes and let us know if our notes were accurate. At that point we told Justice Ziegler we had no further questions for her. Our contact with Justice Ziegler ended at approximately 11:25 a.m. on this date.

END OF REPORT

Detective Peter Hansen
Dane County Sheriff's Office
Investigative Services Bureau

esb Mon Jul 25 07:43:19 CDT 2011

08/23/11

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Supplement

07/29/11 Case#110176237 DET SIMS Notes received from Chief Justice Abrahamson

PERSON CONTACTED:

Chief Justice Shirley A Abrahamson
WI Supreme Court

CONTACT WITH CHIEF JUSTICE ABRAHAMSON:

On Thursday, July 28, 2011, at approximately 11:30am, Detective Peter Hansen and I met with WI Supreme Court Chief Justice Shirley A Abrahamson in her office located in the WI State Capitol. Detective Hansen had received a telephone call from the Chief Justice who offered to turn over notes she had taken reference the June 13th incident.

The Chief Justice provided us with three pages of typed notes. Both Detective Hansen and I read the three pages of notes in its entirety. The Chief Justice redacted paragraphs that discussed the deliberate process of the court. The notes include two paragraphs that relate to the June 13th incident in Justice Bradley's office. Refer to the attached notes for details.

Detective Hansen and I thanked the Chief Justice for her time and ended our contact with her at approximately 12:00 pm.

ATTACHMENTS

3 pages of typed notes (dated Tuesday, 6/14)

END OF REPORT

Detective Sabrina Sims
Dane County Sheriff's Office
Field Services Division

sas Thu Jul 28 12:56:14 CDT 2011

08/23/11

Released To: Wiscinson Center for Investigative Journalist

Case# 110176237

Date = 6/28/11

From = email from Tina Nadolf

June 14, 2011, 11 a.m.

Chief Justice stopped at my office and asked if I had spoken with J. Bradley the previous evening (Monday, June 13). I replied that I had not, but did have a missed call on the work cell phone. The Chief confirmed that the missed call from number [REDACTED], which had been received at 6:36 p.m., had been placed by J. Bradley. The Chief suggested that I see J. Bradley regarding the call.

I met with J. Bradley at about 8:15 a.m. in her chambers. She was visibly upset. J. Bradley stated: *During the early evening on Monday, June 13, she was in her chambers meeting with the Chief. They were joined by Justices Prosser, Roggensack, Ziegler, and Gableman. Those four stood in the doorway and office of Bradley's assistant, who was not present. The discussion involved an order pending release, and during the discussion J. Prosser became angry, raising his voice. J. Bradley said J. Prosser should calm down and that she would not tolerate that behavior in her chamber. The discussion continued and J. Prosser again began yelling at the Chief Justice for not agreeing to do what he wanted (re releasing the aforementioned order). J. Bradley walked swiftly toward J. Prosser and while standing close to him said he needed to calm down. J. Prosser then put his hands around J. Bradley's neck; he did not squeeze it. J. Roggensack pulled J. Bradley away from J. Prosser, while saying, "Ann [Bradley], calm down, you're not acting like yourself. You didn't have to rush at Dave [Prosser]." J. Gableman escorted J. Prosser out of the room, and Justices Roggensack and Ziegler then left.*

J. Bradley and I discussed her options. She noted that she had been in telephone contact with Capitol Police Chief Charles Tubbs. Atty James Bradley, the justice's husband, has urged her to get a restraining order. The Justice has also considered discussing the incident during the next court conference. The Justice has not made a decision re incident report, restraining order, discussion. Justice Bradley said that she feared for her and the Chief's safety.

After meeting with the Justice I spoke with her law clerk, Rachel Graham, who was present during the incident. Rachel said she did not see what happened, but she did hear the discussion. Rachel said she will write a statement.

I met again with the Chief Justice. The Chief's statement did not differ from J. Bradley's. The Chief did show me how close (about 6 inches) J. Bradley stood to J. The Chief will write a statement about her observations. The Chief did express concern re her safety. When working evenings or weekends, the Chief said she does keep her door closed [and locked] unless her clerk is present.

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Memorandum

Casett # 110176237

Received From: Rachel Graham

Date: 6/29/11

STATE OF WISCONSIN
SUPREME COURT



DATE: June 14, 2011

TO: {Enter To}

FROM: {Enter From}

SUBJECT: Events of Monday, June 13, 2011, approx 6 pm

AKZ and DTP come into the office and AKZ asks me whether AWB is here. I indicate that she is. She notes that SSA is in AWB's office and says, 'oh good.' All members of the court except NPC are present in or near AWB's office. As far as I can tell, DTP, PDR, SSA, and AWB are in the office near AWB's desk. MJG is in Sherie's office, standing by the chair with the briefs and rustling a paper in his left hand. I am unsure where AKZ is.

I am at my computer, which faces away from my office door. I can hear most of what is discussed.

The justices discuss logistics. AKZ requests that the court issue a press release. SSA says she is not going to do that, that she has been working on revisions, and that the order will go out when the writing is done, that she has circulated a revision to NPC and to AWB, that she will be working on it all night long, and that she will circulate it to the court the next morning.

PDR says that the court agreed that the order would go out today.

AWB says that DTP circulated an 18-page concurrence, causing a need to respond. That there was no indication last week that he was going to write, and his concurrence was circulated at 1 p.m. The dissent must be revised accordingly.

DTP is taking umbrage. He says he has been working all weekend on the concurrence without a clerk. His voice is dramatic. His clerk has been gone all weekend because [REDACTED]. His tone of voice is escalating. I recognize this tone of voice from when DTP gets angry in open conference.

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Case# 110176237
Received From = Rachel Graham

Date = 6/29/11

AWB says something to the effect that everyone should know she is not going to put up with David's tantrums and that he should cut it out.

AKZ asks what about a press release. More conversation.

SSA says that she has been working on this all weekend and that she has distributed revisions to NPC and AWB. She says I will circulate revisions to the court tomorrow, but David, can you be sure you won't want to respond? How can you guarantee that the order will be ready to go?

DTP: I expect you to call me a fascist pig but I will not revise.

AKZ or PDR ask again what about a press release?

AWB asks what is the urgency in all of this? All day, pundits have been making predictions about when this court will release an order. They said 9 in the morning an order would come out, and then when it didn't, they said well maybe at noon. Now they are saying well, it will come out tomorrow. Why do you need a press release? We work on court time, not the legislature's time. The court allows justices time to make their opinions say what it needs to say. Why do you need a press release? Are you making promises to someone?

Denials. PDR: No of course not. There are four of us who wanted to get this order out today and a press release would be like a consolation prize. There are four of us who want to do this.

DTP emphatically: I have lost confidence in your leadership, chief justice, and I am not going to stand for it. I am not going to let you prevent four members of the court from getting this press release out.

AWB something to the effect of that is enough, don't come in my office and issue threats.

DTP: I am being very measured about this. (petulant tone)

MJG pipes in: Dave is being more measured than reasonable.

[DTP continued--I don't remember what exactly he said. He and AWB were arguing about whether DTP's tone was appropriate and whether he was having a temper tantrum. His voice is escalating again.]

Cassett # 110176237

Date = 6/29/11

Received From = Rachel Graham
AWB says strongly: You get out of my office.

Then I heard AWB yell something like don't put your hands around my neck. There is no dialog. I am not sure whether to call cap police or to come into the office.

AWB is talking about not tolerating Dave putting his hands around her neck. She says: You saw it, Pat Roggensack. You saw him do it.

PDR: Ann, you are not being yourself. I had to hold you back. You provoked him.

This is repeated. AWB says: you all saw him put his hands around my neck in a chokehold. PDR says you charged at him, Ann. You are not being yourself.

At some point, AWB stops talking. The conversation transitions back to the original subject matter, but I do not hear anything more from DTP or MJG.

AKZ, PDR, and SSA continue to discuss whether Tom Sheehan should be called to issue a press release. AKZ says that this is not the highest and best use of anyone's time. She and PDR leave.

Case # 110176237

Received From = Justice Roggensack

Date = 7/1/11

June 13, 2011, 6:15p.m.

Memo to PDR

Today we had an unfortunate incident between AWB and DTP. DTP, MJG, AKZ and I went to AWB's office about 6:00 to ask AWB and SSA (who was in AWB's office) when we might expect SSA's revised concurrence/dissent in Ozanne/Dane Co. because we had had an agreement among all members of the court that our decision and all separate opinions would be released today. SSA said she had just finished her revisions at about 5:45, and she was not sure when she would be ready to circulate them.

DTP then said that 4 of us would like to issue a press release that the opinion would be coming down tomorrow. SSA refused, saying that tomorrow was soon enough to let the public know. I said that we had had an agreement to release the opinions to the public today and that it would be helpful to those who were finished with their writings and were disappointed that the opinion could not be released today to at least issue a press release saying that the court "anticipated" releasing its opinion tomorrow.

SSA refused. DTP said that she had no right to refuse and that he had hoped she would understand the importance of letting the press know in advance, as Amanda had asked us to do last week. DTP became angry and said to SSA that he would not permit her to prevent a press release and he would find Tom Sheehan and do one himself.

AWB then rushed up to DTP, coming very close in a sort of face to face. DTP put his hands up near AWB's neck and she continued to rush him saying, "Don't put your hands on my neck." I then got between AWB and DTP telling her to stop and this was not like her. I said that several times, all the while she was trying to get to DTP. He then left the office and AWB calmed down.

Case# 110176237

Date = 7/1/11

Received From: Justice Rozenski

On June 15, 2011 at approximately 8:45a.m., Chief Tubbs, who heads the State Capital Police, came to closed conference. Margaret Brady, HR director of the court, also came to the conference. All justices were in attendance.

Chief Tubbs came at the request of AWB. She said that she wanted the court's guarantee that she would have a safe work environment. She based her concern on the altercation between her and DTP on June 13. Apparently, she had contacted Chief Tubbs on the 13th.

At the June 15 meeting, AWB said that DTP had his hands on her neck in a "choke hold." I said that he did not attempt to squeeze her neck. AWB said that is "because you stopped him." I responded that I did not stop him from anything. I said that I stopped AWB from hitting DTP in the face with her closed fist that she had raised in the air as she tried to get to him. I said that both DTP and AWB were out of line in my view; both were very angry.

AWB said she knew meeting with the court was a waste of time, but she wanted DTP to be ordered by the court to take anger management counseling. She said that she had hoped the court would do something and that if it did not, she would seek another avenue to get what she wanted.

Margaret Brady took written notes at the meeting. Some other members of the court took notes too. I did not. The meeting ended with Chief Tubbs telling us that the court needed to reduce the levels of hostility among the members.

Case# 110176237

6/29/11

Received From: Justice Patrick Crooks

Justice Crooks' notes for 2/22/10 meeting

Oct. 29, 2009 rules hearing	Attack from the bench on Mike McCabe (Wis. Democracy Campaign) Very angry, animated
Dec. 7, 2009, open administrative conf.	Comments on other justices in open administrative conference
Feb. 10, 2010, closed conference	Comments directed at Chief: "You are a terrible chief." "If you do not withdraw you are going to be destroyed." Chief: "Are you threatening me?" "Yes, . . . you are a bitch." "There will be a war against you and it will not be a ground war."
February 2010 closed conference discussion of <u>Allen</u> decision and per curiam drafted by Chief	Comments to Chief: "There will be repercussions if it goes out [if you send it out]"
Email to justices dated 2/17/10	"This fiasco points up deficiencies in our own procedures that will have to be addressed. Increasingly, I have come to believe that third party review of the court by a group whose objectivity cannot reasonably be questioned has become necessary. The members of the court should anticipate that I will be acting on this belief."

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* CASE # 11-0176237
Received from Margaret Brady

ST. CAP.
8:30 AM
6-15-11

7+ calls me

AB: ~~Deal~~ Deal ultimately
We place papers
No physical - Verbal abuse
events of Mon night
I called Chief PD, not filed formal
complaint

Dave: Monday night - it's about you?
me: Verbal abuse - threats

2 days ago - put my hands around
neck in a chokehold
Need assurances from Court or I will
take other outside action
Mark wants me to get RO
"If I daughters called, could put hands
around neck in chokehold"

law does not talk about what provokes -
it talks about behavior

Mark says if we talk about this -
Not Emul Alty

Verb / Phys Abuse - safety
Commitment from Ct
Progressive abuse

Case # 11-0176237
Received from Margaret Brady

(2)

I want Dave to get meaningful help from County
Court
Commitment I don't have to be subject
to workplace abuse & violence
No threats

Mon. night

PDR: Commuted

I had to get in better - you were as
out of control

You went berserk
I had to get in better you
I wasn't putting pressure on

I I wasn't in the middle

MG: All should be heard.

PDR: Don't agree w/ behavior

MG: My notes

PDR: Frustrated angry

some w/

Agree w/ safe

life - no harassment - agree

Express anger not using swear words

SGA: The facts

Case # 11-0176237
Received from Margaret Brady

(3)

AB: No way — check hold
Commitment this is going to
happen
What happens next
Let someone else decide fault

PDR: We agree not okay to have
physical

DP: What did she say?

Tables: As reported this morning
Confidential — personal
Any hands on is unacceptable
Unless self defense

Internal — best interest of all
Mount & file lots of attention
Internal handling
Still considering the AR

AZ: Notes? Reports?

Tables: Explain report writing
Developed analysis for policy
Detail — explain dealing with
Should be honest investment

Case #11-0176237
Received from Margaret Brady

(4)

J. Mark: There would be no question
any more - there would
be no question about safety

Fx to C. Tubbs

MG: One person can
move to the story then what has
been spoken here and that's
all

Tubbs: Notes important
Need some document
Date

SSA: What say

DP: Letter to pfg - put in writing 2X
Note to issue petition this
person

C) denied pfg

Laurent of ope - Club/SA/Art of
Never been in ope
Indicates about a year from
now

Laurent words, I was accused of
deceiving court

C) refused to issue notes - thing of
trust - willful - I said "lost further
had in your"

AB pushed a cue off feet in my face

Case #11-0176237

Received from Margaret Brady

(5)

PR: Inductive, instant action to protect self - had 4 options to
lot of talk of abuse -
Demanding - intelligent job;
2 members of Court for years
Make job unpleasant as possible
Calculated scheme of intimidation
Worse I will testify to that
He said facts are I did not
move toward him did not squeeze

Tables: want situation worked out
for me - Miller's son-in-law
Work with team, keep no
hostile we minimize

AB: Issue is chokehold, hands on
my neck in anger

Tables: Perception of Workplace, hands
around neck

AZ: Inductive function at its best

to my ~~work~~ work - took moral
strength, awareness & function at its best
Don't see West Allam: Reassuring to all deep
unfortunate - doesn't work as well. I know how

Case # 11-0176237

Received from Margaret Brady

(6)

AZ: Smartest people I've ever worked w/
larger issues - we all need to think
about - what's best for institute?

AB: Not study issue
R.O. @ Court
I have answers

AZ: I'm talking larger issue

PDR: User meant - get some counseling
conduct - out of line
not my field
again - have got counseling
both need help

AB: Stop making

Tables: This is not gonna work
fill the park
Not your need, you need
Needs to be addressed improved
↑ this is poor - much as Mark's
Needs to be addressed
Not going away, HR pl
Work to correct

Smith Major Wong
I said I plan to be in person

Case #11-0176237

Received from Margaret Brady

(7)

My intent are not to harm anyone
We'll all be back, witnesses
and public scrutiny

Not cleaning up ~~the~~^{home} ~~base~~ base

SA: Jones can, disagreement
Whether Jones — do not express
physical threats or physical
violence

Not good at regulating ourselves
Something untoward, no one will
address

Anti-semitic comments not addressed
Not used w/any

I had verbal threat of destruction
I am worried about next steps
99 out of 100 ~~times~~ nothing
happens

Talk about press release doesn't matter
People don't want to be ~~disturbed~~ led, they
don't

Case # 11-0176237
Received from Margaret Brady

(8)

SSA: DP if you're not with the
you are against the

AB: I hope

AZ: safe good idea ~~idea~~, I mean
Not allow behavior - not make
Counseling - DP
Pressure cooker - pull off stove
Wk AR

Tables: No threats
No violence
I'll not tolerate
More this alone
Issue: if not oppressed, need to
be oppressed now

MG: If what is truth, different
perspectives, can't you publish all of us
until all facts heard, no definitive
judgments should be made, I
dispute truthfulness - this is not
fair - I greater, I more system

Tables: No judgment
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Case # 11-0176237
Received from Margaret Brady

(9)

AZ: Margaret come up w/ ideas
I hear you
We can do
Thoughtful advice - final -

PRR: You have all of our commitment
replace safety

AZ: Sanilox -
Comm Country not new
Safety is fundamental

Publis/ Threats: Purpose stuff is over
It won't happen
Need that commitment on PR
has ~~not~~ not much ^{not} to do with
We will conduct ourselves
this way.

PCodes: No progress w/o commitment

SSA: Denial - until group
accepts that we go back
he said they said

AZ: I've said that -

Publis:

MG:

Case # 11-0176237

Received From Margaret Brady

10

PDR

* swear - no

* Never physical

* No hanging list

DP:

Never part of problem - AB - SSA
Threat

PDR:

Have Margaret put something together

Tables: accept resp for rules
Nothing more w/ apology

Yes I feel strongly to
commitment today

No threats or physical harm

CASE# 11-176237
07-01-11

MEYER LAW OFFICE

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July 1, 2011

[VIA FAX 267-2545]

District Attorney Ismael Ozanne
Dane County District Attorney
215 S. Hamilton Street
Madison, WI 53703

RE: Dane County Sheriff's Department Investigation of June 13, 2011 incident at the
Wisconsin Supreme Court

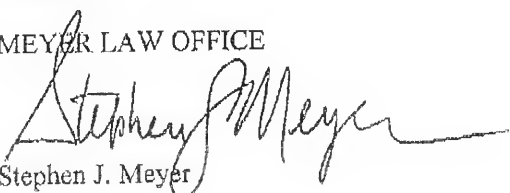
Dear District Attorney Ozanne:

This letter is a follow up to my phone call advising you that I represent Justice David Prosser in reference to the above investigation. Justice Prosser has exercised his right to counsel and I request that you direct law enforcement representatives not to have any contact directly with Justice Prosser without my express permission. All individuals involved in the above investigation should contact me directly at my office number rather than contacting my client.

If you have any questions please feel free to give me a call.

Sincerely,

MEYER LAW OFFICE



Stephen J. Meyer

ah
cc. Detectives Hanson and Simms (via fax 284-6858)

CASE #11-176237
07-01-11

MEYER LAW OFFICE

FACSIMILE TRANSMITTAL

to: DA Ismael Ozanne
fax #: 267-2545
from: Stephen J. Meyer
re: Sheriff's Department Investigation at Supreme Court
date: July 1, 2011
cc: Detectives Hanson and Simms (284-6858)
pages: 2, including this cover sheet.

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From the desk of

Stephen J. Meyer

Meyer Law office
10 East Doty St., Ste. 507
Madison, WI 53703

608-255-0911
608-255-2927 (Fax)
defender6@aol.com

Case# 110176237

Received From: Justice David Prosser

Page 1 of 1

Date: 7/8/11

David Prosser - Re: Huebsch

From: Denise Croake
To: Shirley Abrahamson; Supreme Court Assistants; Supreme Court Justices
Date: 6/13/2011 5:46 PM
Subject: Re: Huebsch

Per Justice Prosser:

Chief, thank you for your email message on the state of your concurrence/dissent. I wonder if we couldn't put out a notice this evening, through Tom Sheehan, that the court will issue an opinion tomorrow. This would be in line with Amanda's request last week.

Thank you.

Dave

>>> Shirley Abrahamson 6/13/2011 5:39 PM >>>

I am just about finished with my modifications. Frankly I have not read what I have written. I do not know whether it flows, whether it is repetitive etc.

Nevertheless my plan is to give the draft to AWB and NPC who were willing to join the earlier version. I hope they can give me any feedback this evening or very early tomorrow so I can make repairs and circulate a draft with which we all agree. I will then submit "our" version to DTP, PDR, AKZ and MJG..

I am sorry it took so long but I felt I had to add a fair amount.

shirley s. abrahamson

Released To: Wisconsin Center for Investigative Journalist

Case# 110176237

7/8/11

Received From: Justice David Prosser

Abrahamson Speaks first

Working on it

Chief, Did you see my email?

No -

You said you would not be ready until tomorrow.

must not
wait
until
tomorrow

My email suggested that we put out an announcement that the court would issue a decision tomorrow.

The staff has gone home

Tom Sheehan is a professional
We can get a hold of Tom Sheehan
and he can put out an
announcement to report

No, that is not possible

We can get a hold of Tom Sheehan
or the court can put me out to
the media

Need more time
to answer the
inquiries

shift
the court

Cass# 110176237 Received From: Justice David Prosser

7/8/11

Justice Bradley got up

I've been working all weekend
did not know you were writing a
conurrence.

Of course the
need

● Chief was writing

● Pat Devotes was writing

Rogersback

June 15th Meeting
Conference Room - Supreme
Court Chambers

Case # 110176237

A

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T.H.

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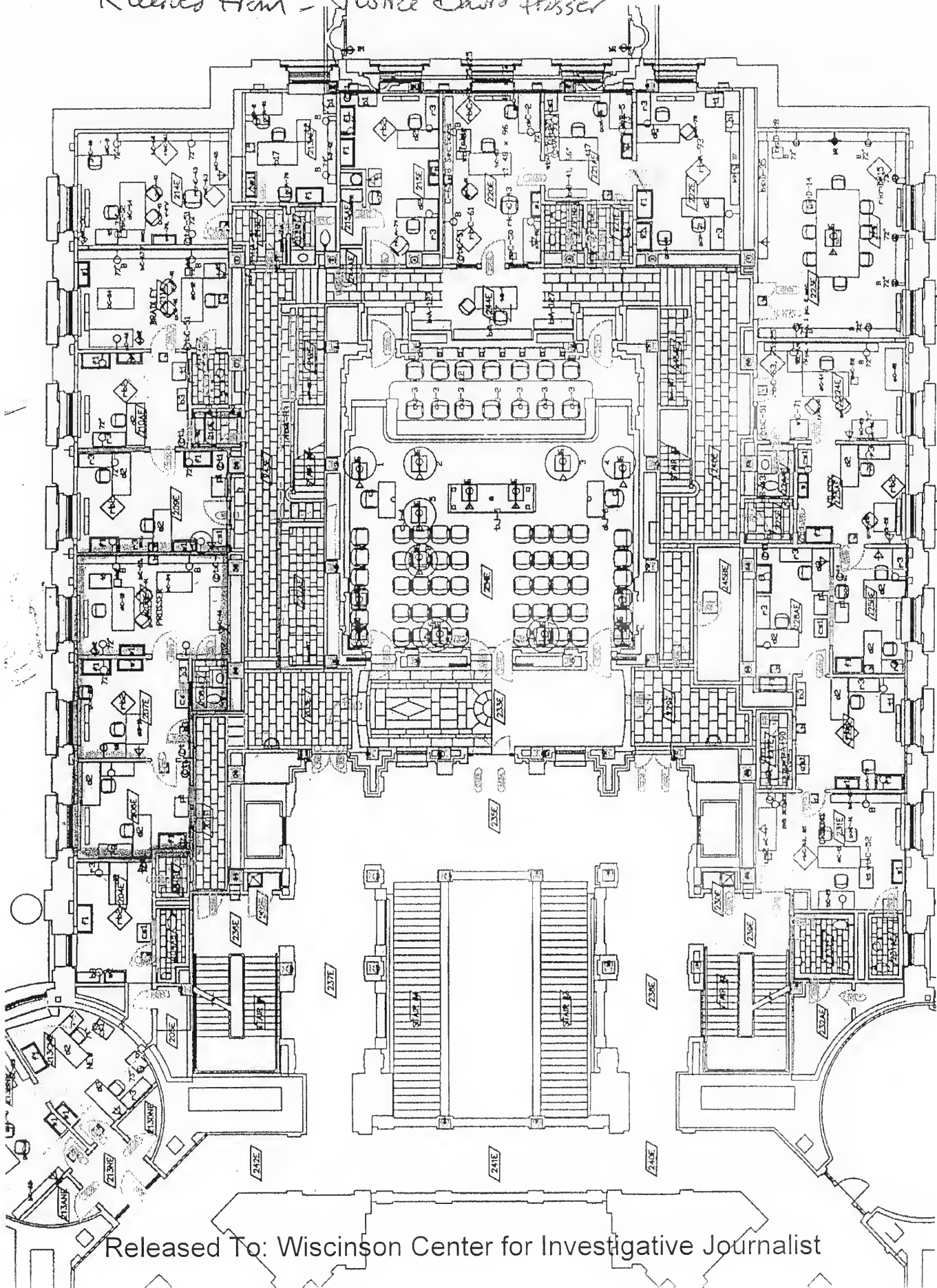
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Case# 110176237

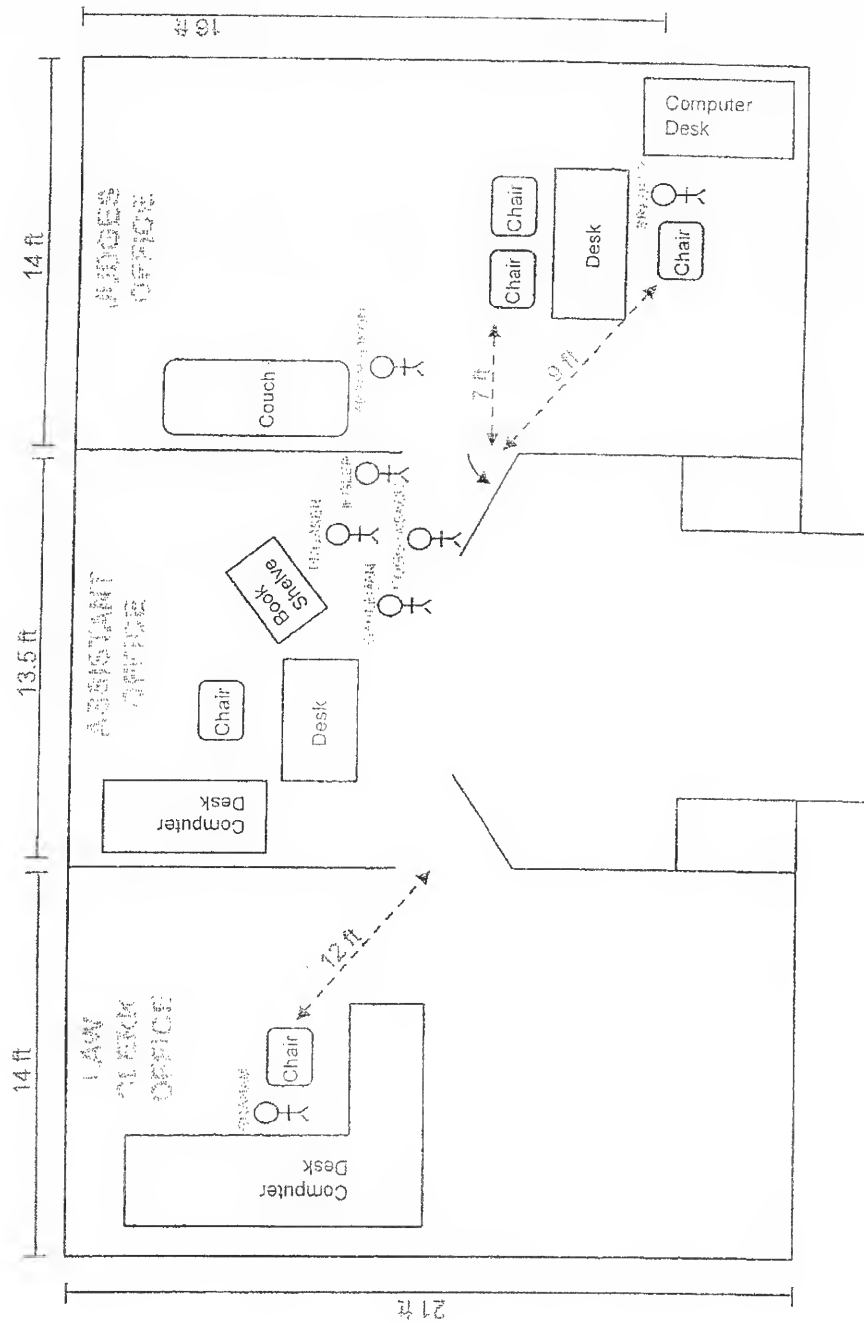
7/8/11

Received From = Justice David Prusser



Released To: Wisconsin Center for Investigative Journalist

For Reference Only



7/1/2010 11:44:10 AM

Case# 110176237

From = Chief Charles Tubbs

Date = 6/28/11



CONFIDENTIAL

Case#: 1-11-005102

WISCONSIN STATE CAPITOL POLICE INCIDENT REPORT			
Occurrence Date/Time: 6/28/2011 6:04 / 6/28/2011 6:04	Classification: POLICE INFORMATION	Status:	Day of week: Tuesday
Location: 2 E MAIN ST MADISON		Common Name: CAPITOL	
Location Type:	Beat:	Zone:	
District:	Alcohol Related:	Drug Related:	
Dispatch Date / Time: 6/28/2011 6:04	Respond Date / Time: 6/28/2011 6:05	Arrive Date / Time: 6/28/2011 6:05	Clear Date / Time: 6/28/2011 6:05

OFFENSE INFORMATION # 1			
Federal Classification:	State Classification:	Statute:	Att/Complete:
Weapons:		Criminal Activity:	
State Disposition:	Federal Disposition:	Exceptionally Cleared:	

REPORTING PERSON INFORMATION 1					
Name: tubbs, charles			Address: 2 E MAIN ST MADISON WI 53702		
Phone: 0/000-0608	Driver's License #:	SSN:	Date of Birth:	Sex:	Race:

Supplement: OFFICERS REPORT

Confidential

Justice Ann Walsh Bradley

On Monday, June 13, 2011, I received a voice message from Justice Ann Walsh Bradley requesting that I call her. I responded by text due to the lateness of the hour and left a text message for Justice Ann Walsh Bradley. Tuesday, June 14, 2011, I received a phone call from Justice Ann Walsh Bradley. She stated that she had an encounter with Justice David Prosser, which took place in one of the Supreme Court offices at the State Capitol. Justice Ann Walsh Bradley stated that she heard Justice David Prosser shouting and screaming at Chief Justice Shirley Abrahamson about a press release. Justice Ann Walsh Bradley stated that Justice David Prosser was out of control in a threatening manner and very verbally abusive. Justice Walsh Bradley stated that she told Justice Prosser to leave Justice Abrahamson alone, she attempted to direct Justice David Prosser away from Chief Justice Abrahamson. Justice Walsh Bradley stated that she has had enough of the verbal abuse and the bullying behavior of Justice David Prosser. Justice Walsh Bradley stated, In anger he put his hands around my neck in a choke hold, he did not apply pressure but his behavior is not acceptable. This was witnessed by Chief Justice Shirley Abrahamson and other Justices were present. Justice Walsh Bradley stated that, Mark was at our condo on Monday night when I finally returned after 8. I told him what had happened. He wants me to go into court and get a restraining order against Dave.

I offered immediately to meet with Justice Ann Walsh Bradley to initiate a police report and begin a police investigation into this

Released To: Wisconsin Center for Investigative Journalist

Case # 110176237

From: Chief Charles Tubbs

Date: 6/28/11

Case Number: 1-11-005102

Page: 2

incident. Justice Ann Walsh Bradley stated, I do not want a police report, an investigation, or this incident documented at this time or communicated with anyone. I am not filing a formal police report. This is confidential. This is an internal matter that needs to be addressed by the Court. I agreed to her request and did not begin an investigation but I advised her that was an option that would remain open. She then said, What I want Chief Tubbs, I want safety in the workplace. Dave, at times, is a wonderful person, who has done good things for the court. But there is another side that I have seen. Dave engages in verbal abuse. This is the first time that I have known Justice David Prosser to use physical abuse. What's next the next step, Chief Tubbs, in this progression, he puts pressure on my throat and keeps me from breathing? I again immediately offered to initiate a police report and police investigation. Justice Walsh Bradley declined stating, I want this handled internally. I am not going public. This in some ways is simple. It is about workplace safety. Chief Tubbs, I have the right as a state employee to enter my workplace without any fear of verbal or physical abuse. All I want is to get a commitment from the Court that his behavior is not acceptable. That I will not be subject to verbal or physical abuse from Dave and I want Dave to get meaningful counseling to address his problem.

I was invited to a meeting on Wednesday, June 15, 2011, at 9:00 a.m. by Chief Justice Abrahamson. The purpose of the meeting was to meet with all seven Supreme Justices; Abrahamson, Walsh Bradley, Prosser, Crooks, Ziegler, Roggensack, Gableman, and the State of Wisconsin Supreme Court Human Resources Officer Margaret Brady, Office of Management Services. We met in the Supreme Court offices conference room to discuss the incident that occurred on Monday, June 13, 2011. Justices Ziegler, Roggensack, Gableman and Roggensack asked me who had I spoken to about this incident and who was aware of this situation? At that point, everyone present discussed this incident and other issues. I informed the group that due to the multiple request for confidentiality by Justice Ann Walsh Bradley, I had not communicated with any one regarding this matter. Justice Bradley stated that she wanted this matter resolved internally. Justice Walsh Bradley read a statement about the incident and once again asked for safety in the workplace and for Justice Prosser to get meaningful counseling. Justice Roggensack said to Justice Walsh Bradley, You are not innocent, you came out of your office shaking your fist and shouting at Justice David Prosser. Justice Prosser stated, I could have extended my arms out and placed my hands on your head, or placed my hands as I did on your shoulders or do nothing. Justice Walsh Bradley stated, Your hands were around my neck, not my shoulders. Justice David Prosser did not respond. Justice Walsh Bradley repeated that statement and there was no response by Justice Prosser. Chief Justice Abrahamson stated, Your hands were around her neck, Dave. There was no response from Justice Prosser. Justice Prosser looked at me directly and said, Chief, he then turned to Justice Walsh Bradley and stated, I should not have put my hands on you. Justices Prosser, Ziegler, Roggensack and Gableman, all asked me, if there was an investigation who would know about this incident and what could be the results. I advised them that if a criminal investigation were to take place, we would collect all physical evidence, statements would be taken from everyone involved or who had knowledge of this incident, to determine if a crime had been committed and if there was probable cause a decision would be made to make a lawful arrest or forward the report to the Dane County D.A. None of the Justices supported this course of action. Justice Gableman turned to Justice Bradley and asked her if she could write something up to address this incident. This was discussed briefly however it was not clear as to whether or not this could be done. Justice Walsh Bradley stated, We do not have the time for a study or committee on this behavior. All I want is workplace safety for all of us and for Dave to get meaningful counseling. Justice Walsh Bradley stated, I can see this is going nowhere, you cannot coddle Dave, he needs help with his behavior. If I cannot get that internally, then I am prepared to try a different avenue and to get help externally. Justice Roggensack, Ziegler and other Justices stated, We all need help with controlling our emotions. Chief Justice Abrahamson stated that, Justice Prosser has a problem, he has been abusive before and it will not stop until he admits he has a problem and gets help dealing with his anger. Justice Abrahamson said that the clerks who work in the courts are aware of this incident as well as others and they will not leave to go home until they know that Chief Justice Abrahamson and Justice Walsh Bradley are safe. As I left the meeting with Justice Bradley and Supreme Court Marshal, Tina Nodolf, both stated that there is a problem with Justice Prosser's behavior, that it has been an ongoing problem and they were doubtful that it was going to get better.

June 22, 2011, I spoke by phone with Justice Walsh Bradley. She stated that she wanted to be clear that she is no longer requesting no written documentation regarding this incident. She stated, Chief, you do what you need to do, which may include written documentation. I informed her that I was considering initiating a criminal investigation. She responded, Chief, do what you have to do, you know how to handle these cases. Justice Bradley became emotional and tearful. She said, This incident and the previous months have been traumatizing for me and at this time I don't know if I am thinking clearly as to how I want to proceed with this situation. I stand by what I said from the beginning, Dave placed his hands around my neck. All I want is workplace safety for all of us and for Dave to get meaningful counseling. She stated, Chief, Justice Abrahamson will be back about 3:45 and I need to speak with her about this matter and we will call you back. Justice Bradley asked, Can we wait and see what happens in the Commission meeting on Friday before you launch an investigation? They may come up with a workable solution. I told her that I would not proceed with the investigation until we spoke later in the day. I told them that I would not be attending the Commission meeting on Friday. I also said that I would wait until I heard back from Justice Bradley or Mr. Alexander before contacting the Dane County Sheriff's Dept.

Chief Justice Abrahamson and Justice Walsh Bradley said, We trust that you will do the right thing and you know more about these situations than we do. Chief Justice Abrahamson and Justice Bradley stated that nothing had changed since the incident. They reminded me, That all that they want is workplace safety for all of them and for Dave to get meaningful counseling. Both stated that they had no intention of harming or causing any problems for Justice Prosser. Chief Justice Abrahamson and Justice Walsh Bradley were made aware through the many conversations that took place, that a full police investigation was always an option.

CASE #11-0176237

Received from Justice
Annette K. Ziegler
on 06-30-11

6-13-11 6:20 pm.

Incident in Bradley's office.

Discussed fact that court agreed that the opinion would release today and it has not. When will SSA have her opinion? When will we see it?

Ct. asked that Tom Shickhan issue a press release today that opinion was imminent. Not done. little communique from SSA re: her timing.

Discussed wanting a press release issued tonight that opinion coming out tomorrow.

At one point, HOB walked by me toward DTP - I was looking toward Chief. Turned around and she was going toward DTP + he had hands near front neck area. PDR had just said "An, stop it. This is not like you!" Then it looked like PDR tried to intervene but I could not see exactly what happened.

Atte KZ

Case # 110176237
Received From: Justice Ann Bradley
Sherie Sasso - Fwd: Information

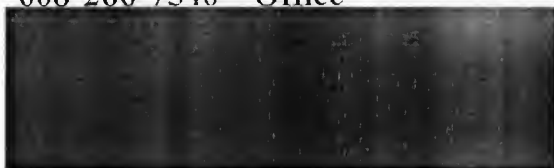
Page 1 of 1

Date = 6/28/11

From: Tina Nodolf
To: Abrahamson, Shirley; Bradley, Ann
Date: 4/8/2011 9:19 AM
Subject: Fwd: Information
CC: Sasso, Sherie

Below are a variety of telephone numbers for Chief Tubbs...

>>> "Tubbs, Charles A - DOA" <Charles.Tubbs@Wisconsin.gov> 4/8/2011 9:14 AM >>>
608-266-7546 – Office



608266-7840 – Executive Assistant
charles.tubbs@wisconsin.gov



Charles A. Tubbs Sr.
Chief of Police
Wisconsin Capitol Police
State Capitol
Room B2 North
2 East Main Street
Madison, WI 53702
Office 608-266-7546 Fax 608-267-9343
E-mail charles.tubbs@wisconsin.gov



From: Ann Bradley
To: Shirley.Abrahamson@wicourts.gov; patrick.Crooks@wicourts.gov
Date: 2/18/2010 8:54 AM
Subject: draft response to Prosser's email of yesterday afternoon re [REDACTED]

SSA and NPC. As you both know, I am no longer willing to tolerate Prosser's abusive behavior. I have been at a loss just how to procede.

This response is one way of trying to stop it. I would appreciate your thoughts before I send it. Ann

Dave,

As both Justice Crooks and I previously voiced, we agree that the court would look silly vacating the order under the circumstances. Thus, I am glad you made the decision to hold the [REDACTED] order.

I don't quite understand, however, the comment that you made your initial vote before the court was informed that the amicus was raising a new issue, [REDACTED]. As I recall, we first voted on this on Thursday, the 11th. In Coleen's memo on this motion, dated Tuesday, Feb 9, two days before our initial vote, she told us that the amicus wanted to address [REDACTED].

Additionally, I agree that this whole [REDACTED] motion has become a fiasco. It is quite clear that the court has become dysfunctional. That harms both those within the system as well as the public at large. You indicate that you intend to take action by contacting an outside third party. I agree with you that something must be done, but I differ from you as to what is the next step.

Last week when we first discussed the ~~Recess~~ motion, in a fit of temper, you were screaming at the Chief, calling her a "bitch"; threatening her with "I will destroy you"; and describing the means of destruction as war against her "and it won't be a ground war". In my view, an unnecessary step to address the dysfunction is to end these abusive temper tantrums. No one brought in from the outside is going to cure this aspect of the dysfunction.

Ann

32

Case# 110176237
Received From: Justice Bradley

From: Patience Roggensack
To: Ann Bradley
Date: 2/21/2010 9:38 PM
Subject: Re: Fwd: State v. [REDACTED] order

I do not excuse it, but you do participate in it. Think about why you copied the JAs and Coleen on your e-mail.

Pat

-----Original Message-----

From: Ann Bradley
To: Patience Roggensack <Patience.Roggensack@wicourts.gov>

Sent: 2/21/2010 4:56:47 PM

Subject: Re: Fwd: State v. [REDACTED]

Pat,

Dave's escalating temper tantrums, and his threats against a member of the court, constitute abusive behavior in the workplace. Regardless of our disagreements, there is no justification for this abusive behavior. Blaming his abusive behavior on others, merely enables it. Ann

>>> Patience Roggensack 02/21/10 1:00 PM >>>

Ann,

You seem not to understand the active role you played in David's exasperation at the way the court is operating and your personal repeated participation in the dysfunctional operation of Wisconsin Supreme Court.

Just consider -- why did you relay all that happened in closed conference to the JAs and Coleen as well as to the justices? You were trying to make David look bad in the eyes of others, as a person who uses language that we all find offensive -- and I include David in that "we." Do you think that copying others on your e-mail increased the collegiality of the court or decreased it?

Your unspoken reasoning seems to be that if David is the problem, then of course you must not be a part of problem. However, you are a very active participant in the dysfunctional way we carry-on. (As am I.) You often goad other justices by pushing and pushing in conference in a way that is simply rude and completely nonproductive. That is what happened when David lost his cool. He is not a man who attacks others without provocation. Until you realize that you are an active part of the provocation, not much will change. Perhaps a third party will help you realize that you are not part of the solution; you are part of the problem.

PDR

>>> Ann Bradley 2/18/2010 10:20 AM >>>

Dave,

As both Justice Crooks and I previously voiced, we agree that the court would look silly vacating the order under the circumstances. Thus, I am glad you made the decision to hold the [REDACTED] order.

I don't quite understand, however, the comment that you made your initial vote before the court was informed that the amicus was raising a new issue, [REDACTED]. As I recall, we first voted on this on Thursday, the 11th. In Coleen's memo on this motion, dated Tuesday, Feb 9, two days before our initial vote, she told us that the amicus wanted to address [REDACTED].

Released To: Wisconsin Center for Investigative Journalist

Case# 110176 237

Received From: Justice Bradley

Additionally, I agree that this whole [REDACTED] motion has become a fiasco. It is quite clear that the court has become dysfunctional. That harms both those within the system as well as the public at large. You indicate that you intend to take action by contacting an outside third party. I agree with you that something must be done, but I differ from you as to what is the next step.

Last week when we were first discussing the [REDACTED] motion, in a fit of temper, you were screaming at the Chief; calling her a "bitch"; threatening her with "...I will destroy you"; and describing the means of destruction as a war against her "and it won't be a ground war". In my view, a necessary step to address the dysfunction is to end these abusive temper tantrums. No one brought in from the outside is going to cure this aspect of the dysfunction.

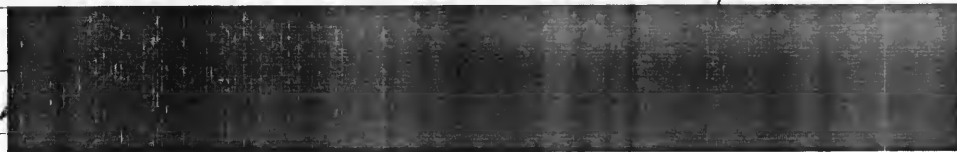
Ann

[REDACTED]

Casett 110176237

Date = 6/28/11

Received From = Justice Ann Bradley



6-15-11 Conversation w/ Margaret Bradley

It is a classic advice
on stress & minimizing

"They are nowhere close" to
coming to terms w/ the

They get value from an abusive
life. The classic - victim was
kidnapped + made me do it

No one is at a pt where they
are willing to agree that there is
a significant problem that needs
to be addressed.

I can come up w/ ideas - but
you I am powerless. I am dealing
w/ elected officials.

There is much -

John can make sense of
it. He is at a pt he wants a
review of facts -

Case# 110176237

Date = 6/28/11

Received From: Justice Ann Bradley

Tues. 11:00 - - -

I have great concern for anyone who

Travis More than push or shove
for someone who's checking
- Felony -

Case # 110176237

Date = 6/28/11

Received From = Justice Ann Bradley

June 13, 2011.....At 6:10 p.m.

PDR, Prosser, Annette and Gableman came into my office. SSA was in my office. Her opinion revisions had just been delivered. She said she had not yet had a chance to even read them. The four wanted a press release out tonight saying we would release an opinion tomorrow. SSA did not want to do that.

As the conversation unfolded, Dave started raising his voice and I told him that I was no longer putting up with his yelling. He then quieted down. I was sitting in the chair at my desk, the others were all standing at the entry way between my office and my assistant's office. The Chief was at the entry way, but inside my office. Annette was in the entryway. Behind Annette, was Dave, then PDR and Gableman.

We had a discussion about whether he, Prosser, had advised us on Friday that he was going to write. He was disappointed that the opinion did not go out today. I told him from my perspective that he had not told us he was writing. Crooks had been hopeful, as recently as early this morning that no one else was going to write other than PDR, Crooks and the Chief. I said it wasn't until later this morning that Dave told us that he was writing and I did not get the 18 page opinion he wrote until 1:30. Now we had to respond. It is not our fault this is getting bogged down.

(I looked at my computer at my desk re: the email exchange from last Friday that indicated to me, that PDR said she was going to write but did not know about others in the majority. No one else responded that they were writing.)

I went back to the entry way and I think in response to them again wanting a press release to go out from Tom Sheehan, I said something like: why do you need it to go out now? Pundits have talked like they know when it is coming out. Some have said it will be out by noon. Some have said the opinion will be out at the end of today. We do not release opinions on pundit time, or on legislative time, but on court time.

Shortly after that Prosser started yelling and raising his voice at me and the Chief. He said he has lost confidence in her leadership and was yelling. I came up to him face to face.. and told him buddy don't raise his voice at me again and pointed at the door and told him to get out of my office. He then put his hands around my throat, both hands,..I told him to get his hand off from around my neck... and PDR said Ann that is not like you charging him. I indicated that I did not touch him and that I was not going to put up with anyone putting his hands around my neck. I think PDR was trying to protect Dave when she said she had to pull me away from him. That isn't quite accurate. It is accurate, however, that she part way got in between us and separated us. Gableman and Dave then left my chambers.

I was quite surprised that he actually put both hand around my neck. I was in his face like a coach can get in the face of a player, yet did not touch him. I would expect a response would be to back away. In fact, I wanted him to back away and get out of the

Case# 110176237

Date = 6/28/11

Received From: Justice Ann Bradley

office. I suppose another response would be to push or shove me away from him. But, to put both hands around my neck is a bit errie.

I returned to my desk to write of this incident. SSA, Annette and PDR were still talking for a short time.

I called Crooks right after this happened. He said that I should call Tina Nodolf to let her know what happened.

I told the Chief that I had called Crooks and that he said I should call Tina. I asked the Chief for Tina's home phone, which she got for me. I called her mobile phone, but no answer. I left a message on her home phone.

Addendum: I tried to pick up and start reading the opinion that the Chief had circulated for my review. I went over parts of it with my clerk, Rachel, but my powers of concentration were gone. I sent an email to the Chief (who had left for dinner) and the rest of the justices around 8:00 p.m. telling them that I was not going to be able to get my comments to the Chief yet tonight and that I would continue with my efforts in the morning. I would plan to meet with the Chief around 8:00 a.m.

I went back to the condo, talked with my husband, and tried contacting Chief Tubbs.

Case# 110176237

Received From: Justice Ann Bradley

Page 1 of 1

Date: 6/28/11

Sherie Sasso - Re: wednesday at 8:30

From: Patience Roggensack
To: Ann Bradley; Shirley Abrahamson; Supreme Court Justices
Date: 6/14/2011 4:18 PM
Subject: Re: wednesday at 8:30

I am very concerned. What problems have you been having, AWB? I see the capital police, and other officers, every day, but I have never felt unsafe, nor have they cautioned me on coming and going from my office in a different manner.
PDR

>>> Ann Bradley 6/14/2011 4:14 PM >>>
yes

>>> Patience Roggensack 6/14/2011 4:07 PM >>>
What is the need for the meeting with Chief Tubbs? Have you had problems with security?
PDR

>>> Ann Bradley 6/14/2011 4:05 PM >>>
Chief,
We are currently scheduled to begin the day, tomorrow, at 8:30 a.m. with pictures. Instead, I want to begin the day in the conference room at 8:30 with a meeting about workplace security. I have asked Capitol Chief of Police Tubbs to also be present.
Pictures can be taken after that or some other time during the day as is convenient for all.
Thanks, Ann

Case# 110176237

Date = 6/28/11

Received From = Justice Ann Bradley

I have brought this to the attention to all of you as my colleagues to see if we can deal with this internally.

In some ways this is simple. It is about workplace safety.

I have the right to go to my workplace without fear of verbal abuse or physical abuse.

Dave, at times you are a wonderful person. But there is another side. I have seen Dave engage in verbal abuse, threats and two days ago in anger he put his hands around my neck in a choke hold.

What's next.

I have the right as a state employee to enter my workplace without any fear of verbal or physical abuse

That is what the law says.

If I cannot get any assurances from you, the court, that this problem is going to be addressed, then I will go to the outside and take other means.

Case# 110176237

Date: 6/28/11

Received From: Justice Ann Bradley

Mark was at our condo on Monday night when I finally returned after 8. I told him what had happened.

He wants me to go into court and get a restraining order against Dave.

Monday night he said to me, if one of our daughters called and said a co-worker had just in anger put his hands around her neck in a choke hold, that I would be on her to do everything possible that it did not happen again...And he is right.

He said, I cannot care for myself any less in response than I would care for my daughters.

I told him that I want to try to address it internally first. He thinks this meeting this morning is going to be useless. That you will

Be in denial

Circle the wagons to protect Dave

And say it is all my fault for goading him.

The law does not talk about what provokes the abuser.
The law talks about the behavior of the abuser

Casett# 110176237

Date: 6/28/11

Received From: Justice Anna Bradley

Mark was asking me: what do you need? What's the next step in this progression.?

That he puts pressure on your throat and keeps you from breathing?

Mark said if I went to an employment law attorney: If I told the attorney of episodes of shouting and out of control behavior including threats, and then if I told my employment law attorney that then he put his hands around my throat. There is not an employment law attorney who would think it is ok...

This is pretty simple.

Verbal abuse and physical abuse is what it is all about.
Safety in the workplace

My goal today is to get a commitment from the court that this behavior is not acceptable. That I will not be subject to verbal or physical abuse from Dave

And I want Dave to get meaningful counseling to address this problem

If I cannot get that internally, then I am prepared to try a different avenue and to get help externally.

Case# 110176237

Date = 6/28/11

Received From: Justice Ann Bradley.
Last comments of 6-15-11 meeting Dave Prosser

what I do not hear is that
Justice Brady does not realize
they are part of problem

We have a threat that
will go public -

Can't win - trying to do
internally if it is viewed as
a threat. E

~~No more from any of us~~

Case# 110176237

Received From: Justice Ann Bradley

Date: 6/28/11

June 22, 2011

On Monday eve after conference, I returned the call of Chief Tubbs. From the background noise it seemed that he likely was already home. It was about 6:00 p.m. He told me that he had received a telephone message from a media person with a message asking something like whether he or a member of his department had been at a meeting with the supreme court last week. He could not remember who the media person represented, maybe news 3 or eye news or something like that he said.

During the conversation I told him that I was no longer requested that he refrain from an investigation. I had initially asked that because I hoped that my colleagues would try to address the problem when we had our Wednesday morning meeting. It was clear from that meeting that they were not willing or able. Tubbs had previously said to me that they just didn't get it, and he realized that they were minimizing.

He said normally he would have investigated right away but that I wanted to try getting it solved with my colleague first. He wondered how he should proceed now. I told him that that was his decision. Since it appeared that the news was on to this event, that if he did not follow his normal procedures that it may look bad for him. That thus far I thought what he had done in his efforts was good, but that it didn't work. He talked about normally sending an officer up to take a statement. I suggested that as an alternative, at this stage, I could just send him the notes that I spoke from when the court met in conference last Wednesday morning. He thought that a good idea. He gave me his email address where I should send the notes. Later that eve, I sent them from the condo to his charles.tubbs@wisconsin.gov address.

Case# 110176237

Date- 6/28/11

Received From = Justice Ann Bradley

From: Ann Bradley
To: Shirley.Abrahamson@wicourts.gov; patrick.Crooks@wicourts.gov
Date: 2/18/2010 8:54 AM
Subject: draft response to Prosser's email of yesterday afternoon re [REDACTED]

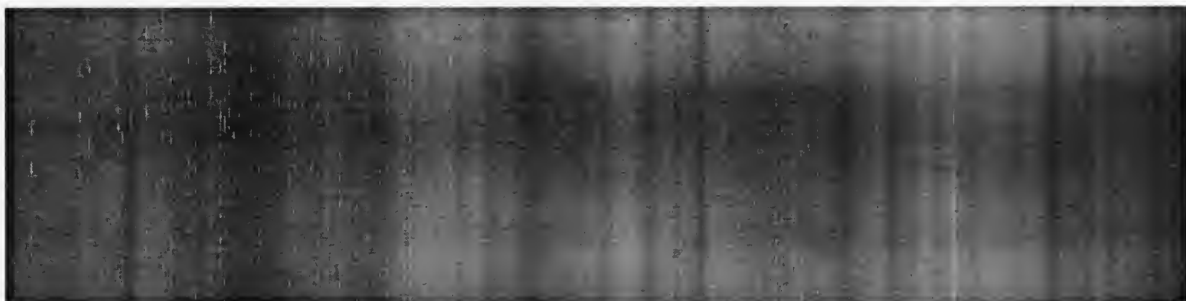
SSA and NPC. As you both know, I am no longer willing to tolerate Prosser's abusive behavior. I have been at a loss just how to procede.
This response is one way of trying to stop it. I would appreciate your thoughts before I send it. Ann

Dave,

As both Justice Crooks and I previously voiced, we agree that the court would look silly vacating the order under the circumstances. Thus, I am glad you made the decision to hold the [REDACTED] order.
I don't quite understand, however, the comment that you made your initial vote before the court was informed that the amicus was raising a new issue [REDACTED]. As I recall, we first voted on this on Thursday, the 11th. In Coleen's memo on this motion, dated Tuesday, Feb 9, two days before our initial vote, she told us that the amicus wanted to address [REDACTED].

Additionally, I agree that this whole [REDACTED] motion has become a fiasco. It is quite clear that the court has become dysfunctional. That harms both those within the system as well as the public at large. You indicate that you intend to take action by contacting an outside third party. I agree with you that something must be done, but I differ from you as to what is the next step.

Last week when we first discussed the [REDACTED] motion, in a fit of temper, you were screaming at the Chief; calling her a "bitch"; threatening her with "I will destroy you"; and describing the means of destruction as a war against her "and it won't be a ground war". In my view, a necessary step to address the dysfunction is to end these abusive temper tantrums. No one brought in from the outside is going to cure this aspect of the dysfunction.



Case # 110176237

Date 6/28/14

Received From: Justice Ann Bradley

6-21-10

Prosser twice said "there will be consequences" - "There will be consequences" (in anger) ~~AFS~~
w/ his face tight w anger &
Standing up pointing AT her.

This was during the discussion
re: McConkey (The Consti Amendment
re: gay marriage

HUEBSCH—DTP Memo to file— Memo started at 9 AM -finished at 11:30 AM with interruptions

Picked up later also--

At about 6PM (June 13) or so DTP, PDR, AKZ, and MJG came into AWB's office—I was there. AWB and I were making plans to get together that night to discuss my draft. The four wanted me to call Tom Sheehan and have him issue a press release stating that it is anticipated that the opinion will be released Tuesday. I said No I would not do that. Not our practice. I feared issues might arise on Tuesday. I expected the opinions to be ready Tuesday but I had also expected them to be ready Monday. My goal—stay with our usual procedure. Don't take chances and have to explain a flub—this case is being watched. We could give several hours notice on Tuesday if that worked out. They became furious—they have 4 votes (that's the end all for them). I have to do what they want, regardless of the wishes of the minority or my best judgment. They threatened to issue their own press release. I said that was their choice.

DTP—whose "surprise" writing held all this up—shouted, face taking on redness, He said the following kinds of things—SSA was holding everything up. SSA's leadership left much to be desired. He was voting no confidence in the chief. At DTP's first outburst AWB's asking him to quiet him down appeared to work. (She is usually good at quieting him down 'cause she speaks softly). When DTP started up again AWB walked right up to him and said something like the following - she was tired of his tantrums, he was to stop shouting. Our timetable is the court's, not the legislature's. DTP's unexpected response-- He put his hands around her neck. I do not think he tightened his grip on her neck. He might not have had a chance 'cause PDR started pulling at AWB's body to get her out of DTP's grasp. DTP and MJG then left the room.

Released To: Wisconsin Center for Investigative Journalist